

Progress Report on Steps Taken for Protection of Critical Habitat for Species at Risk in Canada (October 2020 – March 2021)

July 2021

Canada

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¹ <https://www.canada.ca/en/environment-climate-change/services/species-risk-public-registry.html>

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DEPARTMENTAL MESSAGE

Protecting and recovering terrestrial species at risk and their critical habitat is a core responsibility of Environment and Climate Change Canada (ECCC) and Parks Canada Agency (PCA), and this responsibility is shared with provincial and territorial governments. ECCC works cooperatively with provinces and territories, Indigenous Peoples, other federal departments and agencies and other partners and stakeholders to undertake conservation measures to improve the protection of biodiversity and species at risk.

Listing species under the *Species at Risk Act* (SARA) and producing the necessary recovery documents requires time and resources from both ECCC and partners. While this process allows the refinement of long-term recovery objectives and strategies for species at risk and their habitats, the obligations of SARA can create a backlog. To address these challenges and to get to action more effectively, consensus has emerged on the need for a prioritized, multi-species, outcome-based approach, grounded in stronger multi-jurisdictional partnerships and engagement of all partners (particularly with Indigenous Peoples). Now, more than ever, a strong collaborative approach between Indigenous, federal and provincial leaders is needed to make progress towards recovering Canada's species at risk.

Thus, in 2018, the federal, provincial, and territorial Ministers responsible for conservation, wildlife and biodiversity endorsed the [Pan-Canadian Approach to Transforming Species at Risk Conservation in Canada](#)² (Pan-Canadian Approach). Under this modern approach, conservation efforts are concentrated on collaboratively identified shared priorities across Canada, focusing on priority species, places, and sectors. These concerted efforts are bringing partners together to collectively plan and implement stewardship actions on the ground to achieve better outcomes for species at risk.

In collaboration with most provinces and territories, the implementation of the Pan-Canadian Approach, is starting to yield better outcomes for species at risk through collaborative, multi-species and ecosystem based conservation initiatives in priority places, species and sectors and threats³. Since 2018, federal, provincial and territorial governments have collectively established 11 priority places, identified six priority species, and initiated dialogue for three priority sectors.

- Priority places are hotspots for species at risk; the 11 federal-provincial-territorial priority places cover nearly 30 million hectares (with ~2 million hectares of critical habitat) with an estimated 322 species at risk (~147 of which have > 50% of their range included within the priority places). In the priority places, federal and provincial or territorial

² <https://www.canada.ca/en/services/environment/wildlife-plants-species/species-risk/pan-canadian-approach/species-at-risk-conservation.html>

³ Although the Government of Quebec is not implementing the Pan-Canadian Approach, the province is working complementarily with the federal government in setting priorities for the recovery of species, within existing bilateral mechanisms.

governments are working with Indigenous Peoples and stakeholders to develop conservation action plans that will identify key actions to address the greatest threats to species.

- The six priority species – Barren-ground Caribou; Greater Sage-Grouse; Peary Caribou; Wood Bison; Woodland Caribou, Boreal population (“boreal caribou”); and Woodland Caribou, Southern Mountain population (“southern mountain caribou”) – have (or had) large geographic ranges and an important ecological role on the national or regional scale, and many have high cultural, traditional and spiritual meaning for Indigenous peoples. Together, the species’ ranges span 10 provinces and territories and cover over 576 million hectares of Canada – approximately 58% of the country. By delivering conservation outcomes for targeted priority species, it is expected that we can achieve significant co-benefits for other species at risk, wildlife in general, and related biodiversity values.
- Three priority sectors have been identified under the Pan-Canadian Approach: agriculture, forest sector and urban development. The Priority Sectors initiative addresses each of these sectors through a three-pronged approach: supporting innovative projects to explore opportunities within the sector, creating a mechanism for collaboration and developing conservation action plans for species at risk with sector partners and stakeholders.

As trends appear to show that Canada is recovering from the Covid-19 pandemic, ECCC, along with provinces and territories, Indigenous peoples and other partners, will continue to transform the approach to terrestrial species at risk conservation by advancing the implementation of the Pan-Canadian Approach and related policy and program improvements. Future reports will continue to expand on the contribution of initiatives under the Pan-Canadian Approach to the protection and recovery of species at risk and their critical habitat.

INTRODUCTION

The purposes of SARA are to prevent wildlife species from being extirpated or becoming extinct, to provide for the recovery of wildlife species that are extirpated, endangered or threatened as a result of human activity, and to manage species of special concern to prevent them from becoming threatened or endangered. The responsibility for conservation of species at risk in Canada is shared by both levels of government. The Government of Canada first looks to the provinces and territories for the protection of terrestrial species’ habitat on non-federally administered lands, whereas the federal government is responsible for critical habitat protection for all species on federal lands.

Under SARA, the Government of Canada is obliged to track and report on actions taken and measures put in place to protect identified critical habitat of species at risk. This responsibility is found under section 63 of the Act. The department has published six reports to date on the measures taken. This report, along with subsequent ones, will also include information related to the critical habitat protection of terrestrial species at risk on PCA lands.

In addition to reporting on the implementation of SARA, federal, provincial and territorial governments have been implementing the Pan-Canadian Approach since 2018. This approach, now in its third year of implementation, is largely shifting from a single-species conservation approach to one that focuses on multiple species and ecosystems. This approach also concentrates conservation efforts on priority places, species, sectors and threats across Canada. This transformative approach is enabling conservation partners to work together to achieve better outcomes for species at risk. The Pan-Canadian Approach is also renewing relationships and strengthening collaboration between our governments and Indigenous Peoples, and other partners, including industry and non-governmental organizations.

In the spirit of the Pan-Canadian Approach, and of section 63 of the SARA, this report provides a summary of steps and actions taken and underway by provincial, territorial and federal governments to contribute towards the protection of identified critical habitat for 323⁴ species at risk in Canada (see Annex A). The report encompasses information related to species at risk critical habitat on federal and non-federal lands. Building on the previous six publications⁵, this report focuses on steps and actions that have occurred within the reporting period of October 1, 2020 to March 31, 2021.

This reporting period occurred during the Covid-19 pandemic which may have impacted negatively the collective implementation of SARA and the Pan-Canadian Approach.

REPORT FRAMEWORK / CATEGORY DEFINITIONS

ECCC contacted provinces and territories to request that they report on steps and actions taken to contribute towards the protection of critical habitat on non-federally administered land. This request began with critical habitat as identified in federal recovery strategies or action plans for federally listed species at risk.

In the spirit of the Pan-Canadian Approach, steps or actions are organized in this report based on whether they relate to a single species, or relate to multi-species, priority places, or priority sectors and threats. ECCC also summarized the input and categorized it into the type of step or action taken. The key categories of steps or actions are defined as follows:

⁴ The report provide a summary only for species at risk that are listed as Endangered or Threatened under SARA with critical habitat identified on non-federal land.

⁵ Three reports are related to Woodland Caribou critical habitat protection ([*Progress report on unprotected critical habitat for the Woodland Caribou \(Rangifer tarandus caribou\), Boreal population, in Canada - April 2018: Progress Report on Steps Taken to Protect Critical Habitat for the Woodland Caribou \(Rangifer tarandus caribou\), Boreal Population, in Canada*](#); and [*Progress Report on Steps Taken to Protect Critical Habitat for the Woodland Caribou \(Rangifer tarandus caribou\), Boreal Population, in Canada - June 2019*](#)), and three multi-species reports for all other species with identified critical habitat on non-federal lands ([*Report on Steps Taken and Protection of Critical Habitat for Species at Risk in Canada*](#)).

- **Legislative or regulatory:** Steps taken related to the development or implementation of a wildlife/species at risk act or a regulation under an existing legislation.
- **Policy:** Steps linked to the development or approval of a policy to apply a species at risk legislation or consider wildlife and species at risk in decision making.
- **Protected areas:** Steps linked to the setting aside of land under an existing act or regulation for the purpose of regulating activities to reduce their adverse effects on habitat, or steps linked to the negotiation or establishment of a protected area.
- **Agreements or easements:** Steps linked to the negotiation or signature of a conservation agreement, under section 11 of SARA or under another applicable legislation (such as a *Conservation Easement Act*).
- **Securement:** Voluntary setting aside, sale or purchase of land for the purpose of conservation and protection by a private landowner or a government, without the legal designation as a protected area.
- **Range and management planning:** Actions linked to the development and implementation of management plans and ranges plans.
- **Control of Activities likely to result in destruction of critical habitat (ALTDs):** Any actions not already above captured which help control activities likely to result in the destruction of critical habitat for species at risk, when these activities are identified as such in the recovery strategy for the species.
- **Stewardship:** Habitat management actions which help maintain or enhance the quality of habitat that is already secured or within or outside of a protected area, or will be in the future.

The list of species in each jurisdiction to which this report applies can be found in Annex A. This list represents all terrestrial species currently listed on Schedule 1 of SARA as threatened or endangered for which critical habitat has been identified on non-federal land or on territorial land in a final federal recovery strategy or action plan⁶.

The Yukon and Northwest Territories devolution agreements have given administration and control of large portions of land to the Yukon and Northwest Territories governments. This type of agreement is under negotiation for Nunavut. The federal government is working with the governments of the Yukon, Northwest Territories, Nunavut, Indigenous governments and organizations, and northern Wildlife Management Boards to develop a path forward for protection of critical habitat on devolved lands (also known as territorial lands) and on non-federally administered lands in Nunavut.

1 PROTECTION OF CRITICAL HABITAT IN THE PROVINCES

For critical habitat occurring on non-federally administered lands in the provinces, the Government of Canada first looks to the laws of the provinces for the protection of terrestrial species' habitat. In the following sections, a summary of the applicable legislation is provided,

⁶ As of March 31, 2021

followed by the different actions and measures put in place which reduce the risk of destruction of critical habitat, as reported by the provincial governments.

1.1 British Columbia

Status Summary

In British Columbia (B.C.), there are 92 species at risk with federally identified critical habitat to which this report relates (see Annex A1). From October 1, 2020 to March 31, 2021, no new species have had critical habitat identified on non-federal lands within B.C. No legislative changes were made during the reporting period; the summary of legislation is below.

The Government of British Columbia does not currently have stand-alone species at risk legislation, and the purpose of most provincial land use legislation in B.C. is to manage industrial and commercial activities, including the environmental effects of those activities.

The *Ecological Reserve Act*, the *Park Act*, the *Wildlife Act*, and their associated regulations include provisions that could, in some circumstances, result in an outcome that prohibits critical habitat destruction within ecological reserves, in conservancies or provincial parks, and in wildlife management areas respectively. However, the scope of lands covered by these Acts is limited, and, except within ecological reserves, there are discretions that may enable the authorization of activities likely to result in the destruction of critical habitat. The *Forest and Range Practices Act* and associated regulations include enforceable prohibitions, but the prohibitions only apply to forest harvesting activities or range use practices under some circumstances, vary in their application depending on the specific land use designation, and have less restrictive provisions or exemptions for various types of operators.

On non-federal lands, some provisions in other pieces of legislation in B.C. may be used to prohibit specific activities likely to result in destruction of critical habitat.

For more details on the provincial legislative assessment, please refer to the 2019 [Report on Steps Taken and Protection of Critical Habitat for Species at Risk in Canada](#).

The following section highlights the actions taken for species at risk critical habitat protection within the designated reporting period.

Steps and actions taken for specific species

CATEGORY	SPECIES	DETAILS
Agreements or Easements	Woodland Caribou (Southern	The bilateral <i>Canada British Columbia Conservation Agreement for Southern Mountain Caribou in British Columbia</i> was signed on February 21, 2020. Implementation measures funded during this period relate to habitat protection and restoration, herd planning, predator management, primary

	Mountain population)	prey management, hunting, science, Indigenous knowledge, recreation management, maternal pens and captive breeding, and monitoring. The Government of Canada continues to provide support for the implementation of the bilateral agreement.
Agreements or Easements	Woodland Caribou (Southern Mountain population)	The <i>Intergovernmental Partnership Agreement for the Conservation of the Central Group of the Southern Mountain Caribou between Canada, British Columbia, West Moberly First Nations, and Saulneau First Nations</i> was signed on February 21, 2020. The implementation measures supported are related to the protection, conservation, management and restoration of habitat, and direct management actions including maternal penning. The Government of Canada continues to provide support for the implementation of the partnership agreement.
Protected Areas	Northern Goshawk	In December 2020, B.C. established nine new wildlife habitat areas (WHA) for the Northern Goshawk covering 1,773.6 ha.
Protected Areas	Whitebark Pine	In December 2020, B.C. established two new WHA for the Grizzly Bear covering 2,194.5 ha that overlap with Whitebark Pine critical habitat.
Legislative or Regulatory	Spotted Owl	In March 2021, B.C. put in place a one-year deferral (interim protection) through a <u>BC Forest Act Part 13 Order</u> that defers timber harvesting in the Spuzzum and Utzlius creek drainages covering over 32,671 ha of provincial Crown land.
Control of Activities Likely to Result in Destruction	Oregon Spotted Frog	B.C. continue Bullfrog control effort at Morris Valley, within critical habitat polygon of Oregon Spotted Frog covering approximately six ha. Bullfrogs are an identified threat to Oregon Spotted Frog and as such B.C. have implemented an adaptive management plan at Morris Valley after the discovery of bullfrogs there in 2013.

Steps and actions taken related to multiple species, priority places and priority threats

CATEGORY	SPECIES	DETAILS
Protected Areas	Possible species at risk are yet	In March 2021, B.C. Parks established a new protected area by Order in Council covering 3,528 ha, the Mount Edziza

	to be identified in those two protected areas.	Conservancy. In February 2021, 3,537 ha was added to the existing Class A park, Klin-se-za Park, via Order in Council.
Legislative or Regulatory Policy	Species listed under FRPA	<p>The Office of the Chief Forrester continues to work with ministry experts and decision-makers across the Province to continually inform the development of legislative, regulatory and policy changes to <i>Forest and Ranges Practices Act</i> (FRPA). Amendments to FRPA are underway and are being developed in phases. Some of the amendments or proposed amendments could improve habitat protections for some species listed as Species at Risk under FRPA.</p> <p>Phase 1: Drafting of the <u>Bill 21</u> regulation package is underway (with targeted approval by fall 2021). A key feature of Bill 21 is the introduction of the Forest Operations Plan and indicating location of cutblocks and roads. Work is underway on systems development and the identification of what may be needed for implementation (such as training for operational staff and the public). In addition, a series of pilot projects have been initiated across the Province to introduce the proposed new Forest Landscape Planning (FLP) model, which will eventually replace the current Forest Stewardship Plan (FSP) regime.</p>

1.2 Alberta

Status Summary

In Alberta, there are 22 species at risk with federally identified critical habitat to which this report relates (see Annex A2). From October 1, 2020 to March 31, 2021, no new species have had critical habitat identified on non-federal lands within Alberta. There have been no modifications to species at risk legislation within this reporting period.

The Government of Alberta does not have stand-alone species at risk legislation. The *Wildlife Act* and its *Wildlife Regulation* cover 12 SARA listed species (see Annex A2 for details) and are the primary provincial legislative tools that address wildlife management in Alberta. The *Wildlife Act* does not contain prohibitions against the destruction of habitat, but it enables the minister to make regulations respecting the protection of wildlife habitat and endangered species.

The *Wilderness Areas, Ecological Reserves, Natural Areas and Heritage Rangelands Act*, the *Provincial Parks Act* and the *Willmore Wilderness Park Act* include provisions on critical habitat destruction in wilderness areas, ecological reserves, wildland provincial parks, and within Willmore Wilderness Park respectively. On non-federal lands, some provisions in other pieces of legislation, such as the *Public Lands Act* and the *Public Lands Administration Regulation*, may be used to prohibit specific activities likely to result in destruction of critical habitat.

For more details on the provincial legislative assessment please refer to the 2019 [Report on Steps Taken and Protection of Critical Habitat for Species at Risk in Canada](#).

The following section highlights the actions taken for species at risk critical habitat protection within the designated reporting period.

Steps and actions taken for specific species

CATEGORY	SPECIES	DETAILS
Stewardship	Woodland Caribou (Southern Mountain population)	A seedling survival assessment project in the A La Peche range was completed during this reporting period by the Forest Resource Improvement Association of Alberta (FRIAA) and Alberta. The project measured seedling and seeded survival on 59 km of treated (2017/18) seismic line. About 80,000 White Spruce, Black Spruce and Larch Trees were planted, with Pine seeded in select locations.
Agreements or Easements	Woodland Caribou (Boreal and Southern Mountain populations)	Canada and Alberta finalized a conservation agreement under section 11 of SARA for the conservation and recovery of Woodland Caribou in Alberta, which includes commitments to range planning, restoration and habitat and population management.
Restoration	Woodland Caribou (Boreal population)	Work continues on creation of an inventory of the current vegetation state of seismic lines for restoration within Bistcho range (52,350 km). This ongoing work is enabled by FRIAA and Alberta. As of this reporting period, six of eleven compartments have been delineated and interpreted for a total length of 16,818 km. The project is expected to be completed by December 2021.
Stewardship	Woodland Caribou	Cold Lake habitat restoration projects (Ongoing)

	(Boreal population)	<p>Project 1 (In Progress): 161.5 km restored with 60,645 seedlings planted.</p> <p>Project 2 (In Progress): 203.6 km restored with 188,290 seedlings planted.</p> <p>Project 3 (Completed): 92.5 km restored with 101,535 seedlings planted.</p>
Securement Stewardship	Greater Sage-Grouse	<p>The Alberta Conservation Association secured a 64 ha parcel of land along Manyberries Creek which contains 47 ha of critical habitat for Greater Sage-Grouse. Funding was provided in coordination with Environment and Climate Change Canada, Chinook Pheasants Forever and the City of Medicine Hat.</p> <p>The Alberta Conservation Association continues work on a private land (~1 011 ha) in Greater Sage-Grouse range, to implement habitat enhancements to protect Greater Sage-Grouse critical habitat. Portable electric fences and portable windbreaks were used to encourage cattle grazing outside of Greater Sage-Grouse critical habitat, and to avoid placement of permanent structures in Greater Sage-Grouse range.</p>
Securement Stewardship	Greater Sage-Grouse	<p>The Orphan Well Association continues to conduct reclamation activities within Greater Sage-Grouse critical habitat, including: pipeline abandonment, infrastructure removal (e.g. buildings, power lines and storage tanks) as well as a number of well abandonments. Work is coordinated with Alberta Environment and Parks to prioritize sites that will benefits Greater Sage-Grouse.</p>
Protected Areas	Multiple species	<p>Between February 11, 2021 and March 15, 2021, the Government of Alberta completed public engagement on the proposed expansion of Kitaskino Nuwenënë Wildland Provincial Park. The proposed expansion would see an additional 143,800 hectares added to an existing 161,880 hectare wildland provincial park. Almost all of the proposed expansion (97.95 per cent or 140,799 hectares) overlaps with the Red Earth caribou range.</p>

<p>Policy or Control of ALTD's</p>	<p>Woodland Caribou (Boreal population)</p>	<p>A Moose Lake Access Management Plan was approved by Alberta on February 8, 2021 that will provide resource development direction intended to limit landscape fragmentation and support Indigenous traditional uses and Section 35 rights. This plan sets limits on allowable resource development footprint in the planning area and commits to restoration of legacy seismic disturbance. The planning area encompasses a 10km perimeter adjacent to the Fort McKay First Nation Moose Lake reserves and overlaps ~85,000 hectares of the Red Earth caribou range. The plan will support caribou range habitat through limiting landscape disturbance and restoring existing footprint.</p>
<p>Legislative or Regulatory Securement</p>	<p>Greater Sage-Grouse Woodland Caribou (Boreal and Southern Mountain populations)</p>	<p>A number of adjustments were made to the Master Schedule of Standards and Conditions in January 2021, including modifications to approval standards, conditions and wildlife sensitivity layers for Greater Sage-Grouse and Woodland Caribou. Amendments for Greater Sage-Grouse included the designation of core and recovery areas, which were informed based on species use and locations of leks and habitat (including critical habitat). Updated boundaries more accurately represent the core and recovery areas for Greater Sage-Grouse in Alberta and provide greater certainty for users and proponents to identify areas where specific conditions apply. In support of, and complementary to the Greater Sage-Grouse core area identified above, a new Protective Notation (PNT 200013) was applied for enhanced clarity on the protection of Greater Sage-Grouse habitat, including designated critical habitat.</p> <p>The designation of Caribou Range - Zones A and B provides the general public, industrial operators and government departments with information on areas within caribou range where land-use activities could pose higher (zone A) and lower (zone B) risk to caribou populations. This dataset delineates areas within caribou range, where specified land-use conditions apply in order to enable species conservation and recovery in conjunction with federal and provincial recovery plans and strategies, while still accommodating land-</p>

		use activities. More information can be found the Master Schedule of Standards and Conditions – January 2021 release.
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1.3 Saskatchewan

Status Summary

In Saskatchewan, there are 21 species at risk with federally identified critical habitat to which this report relates (see Annex A3). From October 1, 2020 to March 31, 2021, one new species had critical habitat identified on non-federal lands within Saskatchewan. There have been no modifications to species at risk legislation within this reporting period.

The Government of Saskatchewan does not have stand-alone species at risk legislation. Rather, *The Wildlife Act, 1998* and its *Wild Species at Risk Regulations*, covering nine SARA listed species (see Annex A3) are the primary provincial legislative tools that can address wildlife habitat and species at risk in the province. The Act allows for the Lieutenant Governor in Council to make regulations that designate an area of the province for protection of wildlife and their habitat, however, the Act also includes provisions to authorize activities in these areas. *The Wild Species at Risk Regulations* is the only regulation that includes provisions regarding species at risk; however, the prohibitions are limited.

The Provincial Lands Act, 2016 and *The Conservation Easement Act* include provisions on critical habitat destruction in Ecological Reserves, Representative Area Ecological Reserves and on land that is under a crown conservation easement, respectively. However, the scope of lands covered under these Acts is limited and there are specific provisions associated with each designated reserve and easement. On non-federal lands, some provisions in other pieces of legislation may be used to prohibit specific activities likely to result in destruction of critical habitat.

For more details on the provincial legislative assessment, please refer to the 2019 [Report on Steps Taken and Protection of Critical Habitat for Species at Risk in Canada](#).

The following section highlights the actions taken for species at risk critical habitat protection within the designated reporting period.

Steps and actions taken for specific species

CATEGORY	SPECIES	DETAILS
Securement	Greater Sage-Grouse Chestnut-collared Longspur	Since the submission of the report for the period of October 1, 2020 to April 1, 2021, a total of six oil and gas wells have been reclaimed as per the Government of Saskatchewan standards (Ministry of Energy and Resources <i>Directive PNG016: Acknowledgement of Reclamation (AOR)</i>)

	Swift Fox Sprague's Pipit	<i>Requirements</i> and Ministry of Agriculture requirements on Crown land) with federally-designated critical habitat and/or EPO for Greater Sage-Grouse. Two wells in Chestnut-collared Longspur, Sprague's Pipit and Swift Fox critical habitat; three wells in Greater Sage-Grouse, Chestnut-collared Longspur and Swift Fox critical habitat (also EPO for Greater Sage-Grouse); and one well in Chestnut-collared Longspur and Swift Fox critical habitat.
Range and Management Planning (Agreements or Easements)	Woodland Caribou (Boreal population)	Consistent with commitments made in the conservation agreement for boreal caribou under section 11 of SARA, Saskatchewan has revised the draft SK2 West sub-range plan following review/consideration of comments received during the public consultation period (from December 10, 2019 to February 8, 2020). The final sub-range plan is undergoing internal review. The Government of Canada continues to provide support for the implementation of the conservation agreement.

Steps and actions taken related to multiple species, priority places and priority threats

CATEGORY	SPECIES	DETAILS
Protected Areas	Multiple species	A proposed Ecological Reserve in the Lobstick Lake area completed stakeholder comment period and will be developing and finalizing a management plan moving towards regulatory amendment.
Legislative or Regulatory	Multiple species	The Water Security Agency has started the review process to identify potential gaps in policies and regulatory programs protecting Species at Risk and critical habitat. The Ministry of Agriculture, if there are critical habitat considerations on a particular land parcel, grants an exception to funding requirement and allows smaller dugout sizes (exception to the requirement that a dugout must be 1/3 larger to qualify for funding). The exemption will be granted on a case by case basis upon discussions between Lands, Programs and the Ministry of Environment.
Policy	Multiple species	A policy on Sand and Gravel Exploration and Extraction on Conservation Lands that includes critical habitat

		consideration in the permitting process has been finalized and approved with implementation ongoing.
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1.4 Manitoba

Status Summary

In Manitoba, there are 21 species at risk with federally identified critical habitat to which this report relates (see Annex A4). From October 1, 2020 to March 31, 2021, one new species has had critical habitat identified on non-federal lands within Manitoba. There have been no modifications to species at risk legislation within this reporting period.

The *Endangered Species and Ecosystems Act* (ESEA) covers 20 SARA listed species (see Annex A4) and is the primary provincial legislative tool to protect species at risk and their habitat on non-federal lands. In general, the ESEA includes prohibitions against destroying, disturbing or interfering with the habitat of listed endangered or threatened species. However, the ESEA includes exemptions for developments and licenses under *The Environment Act*. Manitoba has not required proponents to apply for exemption under the ESEA for development projects licensed under *The Environment Act*. The ESEA also includes provisions for designating endangered or threatened ecosystems as protected through ecosystem preservation zones, which would apply to any overlapping critical habitat. However, as of March 2021, no ecosystem preservation zones had been designated.

Additionally, the *Ecological Reserves Act* and the *Provincial Parks Act* includes provisions on critical habitat destruction in ecological reserves, and certain zones within provincial parks. On non-federal lands, some provisions in other pieces of legislation may be used to prohibit specific activities likely to result in destruction of critical habitat.

For more details on the provincial legislative assessment please refer to the 2019 [Report on Steps Taken and Protection of Critical Habitat for Species at Risk in Canada](#).

The following section highlights the actions taken for species at risk critical habitat protection within the designated reporting period.

Steps and actions taken for specific species

CATEGORY	SPECIES	DETAILS
Agreements	Woodland Caribou (Boreal population)	Canada and Manitoba are negotiating a draft conservation agreement for boreal caribou under section 11 of SARA. Work is underway to proceed with public engagement on the draft agreement.

Range and Management Planning	Woodland Caribou (Boreal population)	The development of a new land cover classification dataset has been completed for seven boreal caribou management units.
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1.5 Ontario

Status Summary

In Ontario, there are 94 species at risk with federally identified critical habitat to which this report relates (see Annex A5). From October 1, 2020 to March 31, 2021, five new species have had critical habitat identified on non-federal lands within Ontario.

Habitat protection under Ontario’s *Endangered Species Act* (ESA) is in place for 171 species at risk in Ontario, 91 of which are part of the 94 terrestrial species with critical habitat identified on non-federal lands in the province (see Annex A5). The *Crown Forest Sustainability Act* (CFSA), was amended on December 8, 2020 to exempt forest operations in Crown forests from certain prohibitions of the ESA provided the forest operations are conducted in accordance with an approved forest management plan. The changes to the CFSA also include a new authority under the CFSA for the Lieutenant Governor in Council to make regulations with respect to forestry operations for the purpose of avoiding or minimizing impacts to a species at risk or assisting with the recovery of a species at risk. Western Chorus Frog (Great Lakes / St. Lawrence - Canadian Shield population) (not currently listed under ESA), Golden-winged Warbler (currently listed Special Concern under the ESA) and Red-headed Woodpecker (currently listed Special Concern under the ESA⁷) are the only three species with final critical habitat in Ontario that do not currently receive any direct habitat protection under the ESA.

On non-federal lands, some provisions in other pieces of legislation may be used to prohibit specific activities likely to result in destruction of critical habitat.

For more details on the provincial legislative assessment, please refer to the 2019 [Report on Steps Taken and Protection of Critical Habitat for Species at Risk in Canada](#).

The following section highlights the actions taken for species at risk critical habitat protection within the designated reporting period.

Steps and actions taken for specific species

⁷ The Red-headed Woodpecker has recently been re-assessed by the Committee on the Status of Species at Risk in Ontario (COSSARO) as Endangered. In accordance with the ESA, the Species at Risk in Ontario list will be amended to reflect this classification on or by January 27, 2022, at which time automatic protections for the species and its habitat will come into effect. This will be reflected in future reports.

CATEGORY	SPECIES	DETAILS
Protected Areas	<p>Blanding's Turtle (Great Lakes / St. Lawrence population)</p> <p>Whip-poor-will</p>	<p>Ontario is beginning the process to designate Ostrander Crown Land Block and Point Petre Provincial Wildlife Area, two ecologically significant areas along the southern shore of Prince Edward County, as a conservation reserve under the <i>Provincial Parks and Conservation Reserves Act</i>. Over the coming months, the province will complete an assessment and evaluation of the site.</p> <p>Ontario has assessed the sites and confirmed they have important ecological, geological, recreation and cultural values that meet criteria for Ontario's system of protected areas. The province is moving forward with a planning process to recommend a conservation reserve designation in order to enhance the long-term protection of significant values and ecosystems. A decision on whether the land will be designated as a conservation reserve will be determined through Indigenous, stakeholder and public consultation.</p>
Policy Range and Management Planning	Woodland Caribou (Boreal population)	<p>Under the Ontario <i>Forest Management Guide for Boreal Landscapes</i>, the requirements for the management of boreal caribou habitat through space and time, including through the development of a Dynamic Caribou Habitat Schedule, continued to be incorporated into forest management plans that intersect with boreal caribou ranges. Individual management plans are at various stages of completion depending on plan renewal schedules. The following seven forest management plans were approved:</p> <ol style="list-style-type: none"> 1. Black Spruce Forest; 2. Nagagami Forest; 3. Pic Forest; 4. Trout Lake Forest; 5. Wabadowgang Noopming Forest; 6. Lake Nipigon Forest; and, 7. Ogoki Forest.

Steps and actions taken related to multiple species, priority places and priority threats

CATEGORY	SPECIES	DETAILS
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Stewardship	Multiple species	In 2020-21 the Species at Risk Stewardship Program (SARSP) provided nearly \$4.5M in funding to 82 different projects that have supported the protection and recovery of the province’s species at risk. SARSP projects contribute to the restoration of important habitat, mitigate threats, fill knowledge gaps through research and monitoring, and promote awareness through education and outreach initiatives.
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1.6 Quebec

Status Summary

In Quebec, there are 32 species at risk with federally identified critical habitat to which this report relates (see Annex A6). From October 1, 2020 to March 31, 2021, one new species has had critical habitat identified on non-federal lands within Quebec, and eight species with already identified critical habitat were added to the list based on new information. There have been no modifications to species at risk legislation within this reporting period.

In Quebec, the *Act respecting threatened or vulnerable species* (LEMV) covers 29 SARA listed species (see Annex A6) and designates species as threatened or vulnerable. The LEMV also anticipates the creation of a List of Species Likely to be Designated Threatened or Vulnerable. Essentially preventive in nature, the List of Species Likely to be Designated Threatened or Vulnerable is an administrative and educational tool aimed at halting, or even reversing, the decline of species. However, there is no obligation to designate or protect habitats necessary for the survival or recovery of a species. In addition, although the LEMV and the *Act respecting the conservation and development of wildlife* (LCMVF) apply in principle to both private and public lands, the *Regulation respecting wildlife habitats* (RHF) limits the designation of wildlife habitats to land in the domain of the State, therefore limiting protection of habitat of at-risk wildlife species. However, steps are being taken to modernize the RHF and review these provisions.

In addition, Quebec has several tools available to create different types of protected areas. The designation of protected areas is an element of the Quebec Government’s strategy to promote sustainable development and the protection of biodiversity, including species at risk. However, with few exceptions, the areas of critical habitat covered by protected areas are generally very small except for the Green-scaled willow for which 100% of the critical habitat is in the Gaspésie national park established under the *Parks Act*. On non-federal lands, some provisions in other pieces of legislation may be used to prohibit specific activities likely to result in destruction of critical habitat.

For more details on the provincial legislative assessment please refer to 2019 [Report on Steps Taken and Protection of Critical Habitat for Species at Risk in Canada](#).

The following section highlights the actions taken for species at risk critical habitat protection within the designated reporting period.

Steps and actions taken for specific species

CATEGORY	SPECIES	DETAILS
Protected Areas	<p>Woodland Caribou (Boreal population)</p> <p>Woodland Caribou (Atlantic-Gaspésie population)</p>	<p>Protected areas in Woodland Caribou habitat increased from approximately 68,000 km² to around 123,000 km² for the boreal population and from approximately 1,000 km² to around 1,700 km² for the Atlantic-Gaspésie population.</p> <p>On February 1, 2021, the Minister of the Quebec Department of Environment and the Fight Against Climate Change granted provisional protection status to the Caribous-Forestiers-de-Manouane-Manicouagan proposed biodiversity reserve (RBP). This status came into effect on March 4, 2021.</p> <p>The Caribous-Forestiers-de-Manouane-Manicouagan RBP consists of five areas totalling 7,814 km². Together, the areas—including the land reserved for protected areas in the Caribous-Forestiers-de-Manouane-Manicouagan, adjacent to the RBP—form a protected area of 10,194 km², which will eventually be granted biodiversity reserve status.</p>
Recovery Actions	<p>Woodland Caribou (Boreal population)</p> <p>Woodland Caribou (Atlantic-Gaspésie population)</p>	<p>Under the bilateral cost-sharing agreement between Quebec and the federal government for the recovery of Woodland Caribou, the Ministère des Forêts, de la Faune et des Parcs (MFFP) continues to monitor testing conducted for the development of a new approach to deploying timber harvesting sites adapted to Woodland Caribou habitat. The Government of Canada continues to provide support for implementation of the bilateral agreement.</p> <p>The compilation of activities indicates that decommissioning and reforestation of forest roads was carried out in the Parc national des Grands-Jardins (8.8 km of roads). Characterization of roads was conducted to assess the level of closure in the Parc national des Grands-Jardins and the Laurentides Wildlife Reserve, as well as to identify which</p>

		roads should be targeted as part of the forest caribou habitat restoration effort in collaboration with the Huron-Wendat Nation.
Recovery Actions	Woodland Caribou (Atlantic-Gaspésie population)	In 2020, MFFP decommissioned 50 km of forest roads in order to restore the habitat of the Gaspésie mountain caribou.

Steps and actions taken related to multiple species, priority places and priority threats

CATEGORY	SPECIES	DETAILS
Policy	Multiple species	<p>Under the Cooperation Agreement for the Protection and Recovery of Species at Risk in Quebec (2012–2022), signed between the Government of Quebec and the Government of Canada, Quebec has developed three cost-sharing agreements for 2020–2021:</p> <ul style="list-style-type: none"> • MFFP-ECCC: terrestrial species • MFFP-ECCC: Woodland Caribou (three-year agreement signed in 2019) • MELCC-ECCC: terrestrial plant species <p>A number of activities targeting numerous species have been conducted under this agreement. Both governments have been in contact to extend their collaboration beyond 2022.</p>
Stewardship Securement Control of Activities Likely to Result in Destruction of Critical Habitat	Forked Three- awned Grass White Wood Aster Gulf of St. Lawrence Aster False Hop Sedge Woodland Caribou (Boreal population) American Water-willow	<p>Since April 2019, a number of conservation projects which directly or indirectly impact species at risk have been funded through various sources (Nature Fund, Habitat Stewardship Program, Aboriginal Fund for Species at Risk, and Species at Risk Partnerships on Agricultural Lands) by the Canadian Wildlife Service (CWS) in Quebec.</p> <p>The projects engage many partners, including Indigenous communities, and the conservation actions associated with these projects could benefit the critical habitat of up to 24 species at risk. The conservation actions include measures aimed at reducing activities likely to cause habitat destruction. They also include actions for developing conservation agreements, securing land and acquiring</p>

	<p>Whip-poor-will Victorin's Gentian American Ginseng Horned Grebe (Madgalen Islands population) Bicknell's Thrush Purple Twayblade Golden-winged Warbler Least Bittern Little Brown Myotis Van Brunt's Jacob's-ladder Piping Plover <i>melodus</i> subspecies Western Chorus Frog (Great Lakes / St. Lawrence – Canadian Shield population) Allegheny Mountain Dusky Salamander (Appalachian population) Roseate Tern Wood Turtle Spiny Softshell Blanding's Turtle (Great Lakes / St.</p>	<p>information to assist in the recovery of species at risk. The exact list of species with critical habitat benefiting from these conservation actions will be determined upon completion of these projects.</p> <p>Under the Cooperation Agreement for the Protection and Recovery of Species at Risk in Quebec, a new federal-provincial committee on species at risk recovery implementation was established to support the coordination of conservation projects by various participating organizations: the Quebec Ministère de l'Environnement et de la Lutte contre les changements climatiques; Quebec Ministère des Forêts, de la Faune et des Parcs; Quebec ministère de l'Agriculture, des Pêcheries et de l'Alimentation; Parks Canada Agency; Fisheries and Oceans Canada; and Environment and Climate Change Canada.</p>
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	Lawrence population)	
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1.7 New Brunswick

Status Summary

In New Brunswick, there are 13 species at risk with federally identified critical habitat to which this report relates (see Annex A7). From October 1, 2020 to March 31, 2021, one new species has had critical habitat identified on non-federal lands within New Brunswick. There have been no modifications to species at risk legislation within this reporting period.

The *Species at Risk Act* (NB SARA) is the primary provincial legislative tool that can protect critical habitat for species at risk on non-federal lands. It replaced the New Brunswick *Endangered Species Act* (NB ESA) in 2013. Schedule A of the NB SARA contains the species that were transferred from the NB ESA and kept the status they had under the NB ESA, including species that were listed as Endangered. Of the 13 species at risk with federally identified critical habitat in New Brunswick, eight species of Schedule A may receive habitat protection through transitional provisions of the NB SARA up until they are removed from Schedule A (see Annex A7). To be removed from Schedule A, the species must be listed and regulations provide that the prohibitions under section 28 apply⁸. Section 28 of the NB SARA states that no person shall kill, harm, harass, take, possess, buy, sell or trade an individual of a listed species at risk. Section 28 only applies to listed extirpated, endangered, or threatened species. Once listed, the NB SARA provides the Government of New Brunswick with the power to protect species at risk critical habitat by regulation or by order but only at the discretion of the Minister. To date no species has been listed under the NB SARA, and therefore no regulations have been made or orders issued in respect to the designation or protection of species at risk critical habitat under this Act.

The NB SARA and the *Protected Natural Areas Act* include provisions for species at risk critical habitat within Protected Natural Areas. Additionally, the *Parks Act* includes prohibitions against activities that could result in the destruction of species at risk critical habitat, though limited.

Under the *Conservation Easements Act*, individual easements could include prohibitions against activities likely to result in the destruction of species at risk critical habitat. On non-federal lands, some provisions in other pieces of legislation may be used to prohibit specific activities likely to result in destruction of critical habitat.

⁸ For more information, please refer to the Act: <http://laws.gnb.ca/en/showfulldoc/cs/2012-c.6//20210621>

For more details on the provincial legislative assessment please refer to the 2019 [Report on Steps Taken and Protection of Critical Habitat for Species at Risk in Canada](#).

The following section highlights the actions taken for species at risk critical habitat protection within the designated reporting period.

Steps and actions taken related to multiple species, priority places and priority threats

CATEGORY	SPECIES	DETAILS
Protected Areas	Bicknell’s Thrush Cobblestone Tiger Beetle Whip-poor-will Van Brunt’s Jacob’s-ladder Gulf of St. Lawrence Aster Piping Plover	Addition of Candidate Conserved Areas (CCA) and Proposed CCAs (NB Nature Legacy Initiative (Canada Nature Fund)) into the screening process. Proposed CCAs are flagged, and CCAs receive interim protection, until a determination on whether to include or exclude them as a legally protected area is made. All occurrence records of the species in Annex A, as well as their critical habitat, is used in land-use reviews.

1.8 Prince Edward Island

Status Summary

In Prince Edward Island (PEI), there is one species at risk with federally identified critical habitat to which this report relates (see Annex A8). From October 1, 2020 to March 31, 2021, no new species have had critical habitat identified on non-federal lands within PEI. There have been no modifications to legislation which applies to species at risk within this reporting period.

The *Wildlife Conservation Act* is the primary provincial legislative tool that can protect critical habitat for species at risk on non-federal lands. The Act provides the Government of Prince Edward Island with the power to protect the critical habitat of species at risk that have been designated (at the discretion Lieutenant Governor in Council) as a threatened or endangered species. To date, no regulations have been made under the *Wildlife Conservation Act* to designate a species at risk. Species at risk critical habitat could also, potentially, be protected on private land under an agreement with a private landowner which may impose a covenant or easement on the private landowner’s land. Unlike stand-alone easement legislation, which tends to be

enforced under common law, such an agreement appears to be enforceable under the *Wildlife Conservation Act*.

The *Natural Areas Protection Act* includes provisions for species at risk critical habitat that occurs within natural areas designated under the Act. On non-federal lands, some provisions in other pieces of legislation, such as the *Planning Act*, may be used to prohibit specific activities likely to result in destruction of critical habitat.

For more details on the provincial legislative assessment please refer to the 2019 [Report on Steps Taken and Protection of Critical Habitat for Species at Risk in Canada](#).

The following section highlights the actions taken for species at risk critical habitat protection within the designated reporting period.

Steps and actions taken for specific species

CATEGORY	SPECIES	DETAILS
All	Multiple species	No new update on the steps and actions taken for specific species during this reporting period.

Steps and actions taken related to multiple species, priority places and priority threats

CATEGORY	SPECIES	DETAILS
Protected Areas	Multiple species	No new update on protected areas for the species at risk during this reporting period.

1.9 Nova Scotia

Status Summary

In Nova Scotia, there are 15 species at risk with federally identified critical habitat to which this report relates (see Annex A9). From October 1, 2020 to March 31, 2021, one new species has had critical habitat identified on non-federal lands within Nova Scotia. Details on the Royal Assent of the *Biodiversity Act* are found below.

The *Endangered Species Act* (NS ESA) covers all 15 SARA listed species (see Annex A9) and is the primary provincial legislative tool that can protect habitat for species at risk on non-federal lands. The Act has prohibitions against the destruction of residence such as nests or hibernacula, including dwellings that are anthropogenic structures. The Act also provides the mechanism (through regulation or an order) to list prohibitions against the destruction of species at risk critical habitat on non-federal lands. However, no regulations or orders protecting species at risk critical habitat have been issued under this Act.

The NS ESA, the *Wilderness Areas Protection Act*, the *Brothers Islands Wildlife Management Regulations* (under the *Wildlife Act*), the *Provincial Parks Act*, the *Conservation Easements Act* and the *Special Places Protection Act* include provisions for species at risk critical habitat. On non-federal lands, some provisions in other pieces of legislation may be used to prohibit specific activities likely to result in destruction of critical habitat.

For more details on the provincial legislative assessment please refer to the 2019 [Report on Steps Taken and Protection of Critical Habitat for Species at Risk in Canada](#).

The following section highlights the actions taken for species at risk critical habitat protection within the designated reporting period.

Steps and actions taken for specific species

CATEGORY	SPECIES	DETAILS
Protected Areas	Wood Turtle Piping Plover Eastern Ribbonsnake Blanding’s Turtle Boreal Felt Lichen	In 2020, the protected area status of the following Parks and Reserves were finalized: the St Mary’s River Provincial Park, the River Denys Nature Reserve and the River Inhabitants Nature Reserve. Collectively this includes 977 ha of Wood Turtle critical habitat. In 2021, the province has initiated the designation of the following as protected areas. Species at Risk located within each are provided in brackets. <ul style="list-style-type: none"> • Polletts Cove-Aspy Fault Wilderness Area (Bicknell’s Thrush, Eastern Waterfan, Piping Plover) • Pu’tlaqne’katik Wilderness Area – Pleasant River watershed (Blanding’s Turtle, Eastern Ribbonsnake, Goldencrest) • Ship Harbour Long Lake Wilderness Area (Boreal Felt Lichen)
Policy	Blanding’s Turtle Eastern Ribbonsnake	Special Management Practices for Blanding’s Turtle and Eastern Ribbonsnake were drafted and reviewed. Finalization is ongoing.
Legislative or Regulatory	Wood Turtle Bicknell’s Thrush	Nova Scotia adopted the Proposed SARA Recovery Strategy for Wood Turtle, including the criteria for the identification of critical habitat, in February 2020 in lieu of preparing its own Recovery plan. Additional sites that met those criteria,

Eastern Mountain Avens	but were not included in the SARA critical habitat designation, were added to identified core habitat. As such, Nova Scotia’s identified core habitat for Wood Turtles exceeds that of SARA critical habitat.
Pink Coreopsis	Likewise, SARA Recovery Plans and Action Plans, including critical habitat as core habitat, were adopted for the following species:
Plymouth Gentian	
Thread-leaved Sundew	Bicknell’s Thrush – November 18, 2020 Eastern Mountain Avens – February 13, 2021
Piping Plover	Pink Coreopsis - February 19, 2021 Plymouth Gentian - February 19, 2021
Roseate Tern	Thread-leaved Sundew - February 19, 2021 Piping Plover – February 22, 2021 Roseate Tern – February 22, 2021

Steps and actions taken related to multiple species, priority places and priority threats

CATEGORY	SPECIES	DETAILS
Policy Legislative	Multiple species	<p>On March 11, 2021, Bill 4, an Act to Provide for the Conservation and Sustainable Use of Biodiversity in Nova Scotia, was introduced to the Nova Scotia Legislature. Although not specific to species at risk, this Act enables the Nova Scotia government to, in essence, act in a preventative way to conserve biodiversity before species and ecosystems become at risk. This Bill, now the <i>Biodiversity Act</i>, received Royal Assent on April, 19, 2021. The Act enables the province to develop and promote biodiversity education, to establish biodiversity management zones on Crown lands, to work with private landowners in a voluntary fashion to develop biodiversity management zones on their property, and it commits to reporting on the province’s state of biodiversity within three years of the Act coming into force. The reporting will guide future actions for how the government addresses threats and opportunities for biodiversity in the province. The legislation will be reviewed in five years through public consultations.</p> <p>On March 11, 2021, Bill 9 was tabled and the purpose of the Crown Lands Act was repealed and replaced with “to</p>

		provide the legislative and regulatory framework that will ensure Crown lands are sustainably used, protected, and managed to maintain and enhance biodiversity and for purposes that include wilderness conservation, recreation, economic opportunity in forestry, tourism and other sectors, community development, and for the cultural, social and aesthetic enjoyment of Nova Scotians”, expanding this purpose from primarily resource use.
Stewardship Control of Activities Likely to Result in Destruction Agreements or Easements	All Annex A9 species (excluding Bicknell’s Thrush)	<p>Within the Kespukwitk/ Southwest Nova Scotia Priority Place and through support of the Canada Nature Fund, the Kespukwitk Conservation Collaborative (18 partners including Indigenous, academic, non-government, provincial and federal government departments), is working collaboratively toward better outcomes for species at risk. Through this multi-species, ecosystem-based conservation approach in the Kespukwitk/ Southwest Nova Scotia Priority Place for species at risk critical habitat for up to 14 species (all Annex A9 species at risk, with the exception of Bicknell’s Thrush) could benefit from priority conservation actions implemented through the Priority Place.</p> <p>Examples of actions include:</p> <ul style="list-style-type: none"> - Stewardship actions to reduce activities likely to result in destruction of critical habitat for Blanding’s Turtle, Eastern Ribbonsnake, Wood Turtle, Eastern Mountain Avens, Pink Coreopsis, Plymouth Gentian; - Engaging municipalities in conservation-based land use planning to reduce the threat of encroaching development on wetlands within municipal jurisdiction, with emphasis on opportunities to protect/ steward critical habitat for species at risk through stewardship agreements; - Piloting a framework for an incentive/ recognition program for woodlot owners for the protection of species at risk, critical habitat and other high conservation values; and, - Engaging private landowners in the protection and restoration of vegetated buffers along lake shorelines, targeting critical habitat for at risk Atlantic Coastal Plain Flora.

1.10 Newfoundland and Labrador

Status Summary

In Newfoundland and Labrador, there are 10 species at risk with federally identified critical habitat to which this report relates (see Annex A10). From October 1, 2020 to March 31, 2021, no new species have had critical habitat identified on non-federal lands within Newfoundland and Labrador. There have been no modifications to species at risk legislation within this reporting period.

The Newfoundland and Labrador *Endangered Species Act* (NFL ESA) covers eight SARA listed species (see Annex A10) and is the primary provincial legislative tool that can protect critical habitat for species at risk on non-federal lands. The Act enables the Government of Newfoundland and Labrador to make an order to set aside an area of land to be protected as species at risk critical habitat. However, no orders have been issued for species at risk under the NFL ESA.

The *Wilderness and Ecological Reserves Act* and the *Provincial Parks Act* both include provisions for species at risk critical habitat within Ecological Reserves and Provincial Parks respectively. On non-federal land, some provisions in other pieces of legislation may be used to prohibit specific activities likely to result in destruction of critical habitat.

For more details on the provincial legislative assessment please refer to the 2019 [Report on Steps Taken and Protection of Critical Habitat for Species at Risk in Canada](#).

The following section highlights the actions taken for species at risk critical habitat protection within the designated reporting period.

Steps and actions taken for specific species

CATEGORY	SPECIES	DETAILS
All	Multiple species	No new update on the steps and actions taken for specific species during this reporting period.

Steps and actions taken related to multiple species, priority places and priority threats

CATEGORY	SPECIES	DETAILS
Protected Areas	Multiple species	No new update on the proposed protected areas network during this reporting period.

2 PROTECTION OF CRITICAL HABITAT IN THE TERRITORIES

For critical habitat occurring on non-federally administered lands and in respect of the spirit of devolution agreements in the territories, the Government of Canada first looks to the laws of the territory for the protection of terrestrial species' habitat. In the following sections, a summary of the applicable legislation is provided, followed by the different actions and measures put in place which reduce the risk of destruction of critical habitat, as reported by the territorial governments.

2.1 Yukon

Status Summary

In Yukon, there is one species at risk with identified critical habitat to which this report related (see Annex A11). From October 1, 2020 to March 31, 2021, no new species have had critical habitat identified on non-federal lands within the Yukon. There have been no modifications to species at risk legislation within this reporting period.

The Yukon has no stand-alone legislation protecting species at risk; however, certain activities impacting individuals of wildlife species are regulated under the *Wildlife Act*. On territorial lands, some provisions in various territorial acts can be used to prohibit specific activities likely to result in destruction of critical habitat.

For more details on the territorial legislative assessment please refer to the 2019 [Report on Steps Taken and Protection of Critical Habitat for Species at Risk in Canada](#).

The following section highlights the actions taken for species at risk critical habitat protection within the designated reporting period.

Steps and actions taken for specific species

CATEGORY	SPECIES	DETAILS
Agreements or Easements	Woodland Caribou (Boreal population)	Consistent with commitments made in the conservation agreement under section 11 of SARA between Canada, Yukon, Gwich'in Tribal Council and First Nation Nacho Nyak Dun for boreal caribou, the Government of Canada provided financial support for the continued implementation of the conservation agreement for boreal caribou. Implementation measures funded during this period support lichen mapping activities which will identify high priority areas for critical habitat protection.

2.2 Northwest Territories

Status Summary

In Northwest Territories (NWT) there is one species at risk with identified critical habitat to which this report related (see Annex A12). From October 1, 2020 to March 31, 2021, no new species have had critical habitat identified on non-federal lands within NWT.

The Government of NWT’s primary legislation for protecting species at risk, their *Species at Risk (NWT) Act* (NWT SARA), applies to Woodland Caribou (Boreal population). The Act has the authority to make regulations to protect critical habitat, however no such regulations have been put in place.

Protected areas in NWT can prevent some disturbance due to human activity in certain critical habitat, while ‘candidate areas’ may have interim protection through land withdrawals or land use plans. Moreover, regional land use plans contribute to conservation of species at risk habitat in the NWT in certain areas. Approved land use plans are implemented through comprehensive land claim agreements and the *Mackenzie Valley Resource Management Act*.

For more details on the territorial legislative assessment please refer to the 2019 [Report on Steps Taken and Protection of Critical Habitat for Species at Risk in Canada](#).

The following section highlights the actions taken for species at risk critical habitat protection within the designated reporting period.

Steps and actions taken for specific species

CATEGORY	SPECIES	DETAILS
Policy Range & Management Planning (Agreements or Easements)	Woodland Caribou (Boreal population)	The Government of Canada provided financial support for the continued implementation of the conservation agreement for boreal caribou under section 11 of SARA between Canada and Government of Northwest Territories to continue to support the development of a range plan for the boreal caribou range in the Northwest Territories and to ensure engagement/consultation on the range planning framework. Consistent with commitments made in the conservation agreement for boreal caribou under section 11 of SARA between Canada and the Northwest Territories for the boreal caribou and, as per the Northwest Territories Framework for Boreal Caribou Range Planning , development of five regional range plans for the NWT portion of the NT1 range is ongoing, including engagement with Indigenous communities and organizations on range plans, and updating

		and verifying traditional and local knowledge and science to inform the development of maps.
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2.3 Nunavut

Status Summary

In Nunavut, there are two species at risk with federally identified critical habitat to which this report relates (see Annex A13). From October 1, 2020 to March 31, 2021, no new species have had critical habitat identified on non-federal lands within Nunavut. There have been no modifications to species at risk legislation within this reporting period.

The *Wildlife Act* is the main legislative tool that can specifically protect habitat for species at risk. In general, the *Wildlife Act* provides prohibitions against the destruction of species at risk critical habitat on public lands. However so far, no species are listed under the Nunavut *Wildlife Act*. On public lands the *Territorial Parks Act* includes prohibitions against activities on critical habitat, and some provisions in various territorial acts can be used to prohibit specific activities likely to result in destruction of critical habitat.

For more details on the territorial legislative assessment please refer to the 2019 [Report on Steps Taken and Protection of Critical Habitat for Species at Risk in Canada](#).

The following section highlights the actions taken for species at risk critical habitat protection within the designated reporting period.

Steps and actions taken for specific species

CATEGORY	SPECIES	DETAILS
All	Multiple species	No new update on the steps and actions taken for specific species during this reporting period.

3 OTHER COLLABORATIVE AND FEDERAL PROTECTION OF CRITICAL HABITAT

Steps and actions taken specifically for priority species under the Pan-Canadian Approach

CATEGORY	SPECIES	DETAILS
Range and Management Planning	Woodland Caribou (Boreal population)	The Government of Canada provided financial support for the development of Forest Stewardship Council (FSC)-compliant boreal caribou conservation plans as part of FSC Canada's new standard for responsible forest management in

		Canada. When finalized, these plans will lead to increased protection of the species' critical habitat by managing cumulative disturbance from forestry operations at the caribou range-level, consistent with the 2020 Federal Recovery Strategy and 2016 Range Plan Guidance.
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Steps and actions related to multiple species, or priority places, priority sectors and priority threats under the Pan-Canadian Approach

CATEGORY	SPECIES	DETAILS
Protected Areas	Woodland Caribou (Boreal population)	In June, 2020, the subsurface land withdrawal in place for the Edézhíe Protected Area was indefinitely extended.
Policy	Multiple species CH in Pastures Greater Sage-Grouse Burrowing Owl Mountain Plover Sprague's Pipit Swift Fox Chestnut-collared Longspur	On October 5, 2020, Saskatchewan, ECCC and Agriculture and Agrifood Canada (AAFC) signed the land exchange agreement to finalize transfer of lands within Govenlock, Nashlyn and Battle Creek pastures to ECCC. On January 4, 2021, the administrative transfer of titles for all lands was complete. ECCC's CWS operates the three pastures as the Prairie Pastures Conservation Area with the future intention of consulting on designation as a National Wildlife Area. Although not protected by the <i>Canada Wildlife Act</i> or regulations yet, acquisition of the pastures ensures lands are managed for wildlife conservation and protects or improves critical habitat through range management in collaboration with ranchers. CWS controls all activities on the land through licenses or permits under the <i>Federal Real Property and Immovable Act</i> .

4 PROTECTION OF CRITICAL HABITAT ON FEDERAL LAND

The Government of Canada relies on provisions of SARA to legally protect critical habitat on federal lands. There are three tools available for use under SARA: description in the *Canada Gazette* [s.58(2)]; protection statements [s.58(5)(b)]; and, orders [s.58(5)(a)]. A description of critical habitat in the *Canada Gazette* applies to species at risk found in federally protected areas (including National Wildlife Areas, Migratory Bird Sanctuaries, and National Parks). A protection statement included in the public registry can also be used to describe how critical habitat is protected. The government can also make use of orders under specific sections of SARA for the protection of critical habitat not legally protected by provisions in, or measures under, this or any other Act of Parliament. PCA is responsible for species on lands under its administration. Critical habitat on lands and waters administered by PCA are also provided protection by PCA legislation and regulation. The following section summarizes the actions and measures taken by both ECCC and PCA for the protection of critical habitat for terrestrial species at risk. This section includes information from PCA about protection of critical habitat since the beginning of the implementation of SARA up to the end of this reporting period (March 2021), while ECCC content focuses primarily on the October 2020 to March 2021 timeframe.

Steps and actions taken for specific species

CATEGORY	SPECIES	DETAILS
SARA ss. 58(5)(b) Ministerial Order (Legislative or Regulatory)	Fernald's Braya	In February 2021, ECCC and PCA made one order to protect the critical habitat of Fernald's Braya on federally administered lands, pursuant to section 58 of SARA.
	Western Chorus Frog-Great Lakes / St. Lawrence - Canadian Shield population*	In July 2018, ECCC and PCA made an order to protect critical habitat for one terrestrial species.
SARA ss. 58(2) Descriptions in the Canada Gazette	Marbled Murrelet	Not previously reported, although it did not occur within the Oct 2020-March 2021 period, ECCC led the completion of one description of critical habitat for Marbled Murrelet was published in <i>Canada Gazette Part I</i> .
	Sable Island Sweat Bee	In March 2021, PCA and ECCC co-led the completion of one description of critical habitat published in the <i>Canada Gazette Part I</i> .

(Legislative or Regulatory)	<p>Bicknell's Thrush</p> <p>Gray Ratsnake, Great Lakes/St. Lawrence population</p> <p>Wood Turtle</p>	<p>Between October 2020 and March 2021, PCA led the completion of descriptions of critical habitat for 3 species published in the <i>Canada Gazette Part I</i>.</p>
	<p>American Marten - Newfoundland population</p> <p>American Water-willow Banff Springs Snail</p> <p>Black-footed Ferret</p> <p>Blanding's Turtle - Great Lakes / St. Lawrence population</p> <p>Blanding's Turtle - Nova Scotia population</p> <p>Bolander's Quillwort</p> <p>Burrowing Owl</p> <p>Caribou – Boreal population*</p> <p>Chestnut-collared Longspur</p> <p>Deerberry</p>	<p>Between August 2008 and September 2020, PCA led the completion of descriptions of critical habitat for 50 species published in the <i>Canada Gazette Part I</i>.</p>

Dwarf Hackberry Eastern Foxsnake - Carolinian population Eastern Foxsnake - Great Lakes / St. Lawrence population Eastern Prickly Pear Cactus Eastern Ribbonsnake - Atlantic population Whip-poor- will Eastern Yellow- bellied Racer Five-lined Skink - Carolinian population Forked Three- awned Grass Golden- winged Warbler Greater Sage- Grouse <i>urophasianus</i> subspecies Greater Short- horned Lizard	
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<p> Gulf of St. Lawrence Aster Half-moon Hairstreak Haller's Apple Moss Kentucky Coffee-tree Least Bittern Little Brown Myotis* Loggerhead Shrike Prairie subspecies Maritime Ringlet Massasauga - Great Lakes / St. Lawrence population Mountain Plover Northern Myotis Piping Plover melodus subspecies Porsild's Bryum Prothonotary Warbler Red Knot <i>rufa</i> subspecies* Red Mulberry Spiny Softshell Spotted Turtle Sprague's Pipit Swift Fox </p>	
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	<p>Tri-coloured Bat</p> <p>Vole Ears Lichen</p> <p>Western Chorus Frog - Great Lakes / St. Lawrence - Canadian Shield population*</p> <p>Whooping Crane</p> <p>Wild Hyacinth</p> <p>Woodland Caribou - Southern Mountain population</p> <p>Yellow-breasted Chat <i>virens</i> subspecies</p>	
<p>SARA ss. 58(5)(b) Statement in the Species at Risk Public Registry</p> <p>(Legislative or regulatory)</p>	<p>Sharp-tailed Snake</p>	<p>In February 2021, PCA led the completion of one protection statement for the Sharp-tailed Snake posted on the Species at Risk Public Registry.</p>
	<p>Woodland Caribou – Boreal population*</p> <p>Contorted-pod Evening-primrose</p> <p>Dromedary Jumping-slug</p> <p>Edwards’ Beach Moth</p>	<p>Between August 2008 and September 2020, PCA led the completion of protection statements for 15 species posted on the Species at Risk Public Registry.</p>

	Engelmann's Quillwort Foothill Sedge Little Brown Myotis* Marbled Murrelet Northern Goshawk <i>laingi</i> subspecies Pink Sand- verbena Red Knot <i>rufa</i> subspecies* Roseate Tern Sand-verbena Moth Seaside Centipede Lichen Slender Popcornflower	
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*Protection for critical habitat for this species is provided in more than one legislative or regulatory category

ANNEX A – LISTS OF SPECIES WITH CRITICAL HABITAT IDENTIFIED ON NON-FEDERALLY ADMINISTERED LANDS BY PROVINCE/TERRITORY

A1 – Species with critical habitat identified on non-federal lands in British Columbia

Bear's-foot Sanicle	Oregon Spotted Frog
Bearded Owl-clover	Pacific Water Shrew
Behr's (Columbia) Hairstreak	Pallid Bat
Blue-grey Taildropper	Phantom Orchid
Bog Bird's-foot Trefoil	Poor Pocket Moss
Branched Phacelia	Porsild's Bryum
Brook Spike-primrose	Prairie Lupine
California Buttercup	Purple Sanicle
Cliff Paintbrush	Rayless Goldfields
Coast Microseris	Rigid Apple Moss
Coastal Giant Salamander	Rocky Mountain Tailed Frog
Coastal Scouler's Catchfly	Rosy Owl-clover
Contorted-pod Evening-primrose	Rusty Cord-moss
Deltoid Balsamroot	Sage Thrasher
Dense-flowered Lupine	Sand-verbena Moth
Dense Spike-primrose	Scarlett Ammannia
Desert Nightsnake	Seaside Bone Lichen
Dromedary Jumping-slug	Sharp-tailed Snake
Dun Skipper (Western population)	Short-rayed Alkali Aster
Dwarf Woolly-heads (Southern Mountain population)	Showy Phlox
Edwards' Beach Moth	Slender Collomia
Foothill Sedge	Slender Popcornflower
Fragrant Popcornflower	Small flowered Lipocarpha
Golden Paintbrush	Small-flowered Tonella
Grand Coulee Owl-clover	Smooth Goosefoot
Gray's Desert-parsley	Southern Maidenhair Fern
Great Basin Gophersnake	Spalding's Champion
Great Basin Spadefoot	Spotted Owl, <i>caurina</i> subspecies
Half-moon Hairstreak	Stoloniferous Pussytoes
Haller's Apple Moss	Streambank Lupine
Lemmon's Holly Fern	Tall Bugbane
Lewis's Woodpecker	Tall Woolly-heads
Lindley's False Silverpuffs	Taylor's Checkerspot
Little Brown Myotis	Toothcup (Southern Mountain population)
Macoun's Meadowfoam	Townsend's Mole
	Vancouver Island Marmot

Marbled Murrelet	Vesper Sparrow, <i>affinis</i> subspecies
Mexican Mosquito-fern	Victoria's Owl-clover
Mormon Metalmark (Southern Mountain population)	Water-plantain Buttercup
Mountain Holly Fern	Western Rattlesnake
Muhlenberg's Centaury	Western Tiger Salamander (Southern Mountain population)
Northern Goshawk, <i>laingi</i> subspecies	White Meconella
Northern Leopard Frog (Rocky Mountain population)	Williamson's Sapsucker
Northern Myotis	Woodland Caribou (Boreal population)
Northern Saw-whet Owl, <i>brooksi</i> subspecies	Woodland Caribou (Southern Mountain population)
Nugget Moss	Yellow-breasted Chat, <i>auricollis</i> subspecies
Oregon Forestsnail	(Southern Mountain population)

A2 - Species with critical habitat identified on non-federal lands in Alberta

Dusky Dune Moth	Porsild's Bryum*
Five-spotted Bogus Yucca Moth	Red Knot, <i>rufa</i> subspecies
Gold-edged Gem	Slender Mouse-ear-cress*
Greater Sage-Grouse, <i>urophasianus</i> subspecies*	Small flowered Sand-verbena*
Greater Short-horned Lizard*	Smooth Goosefoot
Little Brown Myotis	Soapweed*
Loggerhead Shrike, <i>excubitorides</i> subspecies	Tiny Cryptantha*
Non-pollinating Yucca Moth	Western Spiderwort*
Northern Myotis	Woodland Caribou (Boreal population)*
Ord's Kangaroo Rat*	Woodland Caribou (Southern Mountain population)*
Piping Plover, <i>circumcinctus</i> subspecies*	Yucca Moth

* Species listed provincially under Alberta's *Wildlife Regulations*, prescribed as endangered species.

A3 - Species with critical habitat identified on non-federal lands in Saskatchewan

Black-footed Ferret*	Piping Plover, <i>circumcinctus</i> subspecies*
Burrowing Owl*	Red-headed Woodpecker
Chestnut-collared Longspur	Red Knot, <i>rufa</i> subspecies
Dusky Dune Moth	Slender Mouse-ear-cress*
Eastern Yellow-bellied Racer	Small-flowered Sand-verbena*
Gold-edged Gem	Smooth Goosefoot
Greater Sage-Grouse, <i>urophasianus</i> subspecies*	Sprague's Pipit
	Swift Fox*

Greater Short-horned Lizard
Loggerhead Shrike, *excubitorides*
subspecies
Mountain Plover

Tiny Cryptantha*
Western Spiderwort*
Woodland Caribou (Boreal population)

* Species listed provincially under the Saskatchewan *Wild Species at Risk Regulations* as threatened, endangered or extirpated wild species at risk.

A4 - Species with critical habitat identified on non-federal lands in Manitoba

Dusky Dune Moth*
Flooded Jellyskin
Gattinger's Agalinis*
Gold-edged Gem*
Golden-winged Warbler*
Least Bittern*
Little Brown Myotis*
Northern Myotis*
Poweshiek Skipperling*
Prairie Skink*
Red-headed Woodpecker*

Red Knot, *rufa* subspecies*
Rough Agalinis*
Small White Lady's slipper*
Smooth Goosefoot*
Western Prairie Fringed Orchid*
Western Silvery Aster*
Western Spiderwort*
Whip-poor-will*
White Flower Moth*
Woodland Caribou (Boreal population)*

* Species listed provincially as endangered or threatened species under the ESEA regulations.

A5 – Species with critical habitat identified on non-federal lands in Ontario

Acadian Flycatcher*
Allegheny Mountain Dusky Salamander
(Carolinian population)*
American Badger, *jacksoni* subspecies*
American Chestnut*
American Columbo*
American Gingseng*
American Water-willow*
Bashful Bulrush*
Bent Spike-rush (Great Lakes Plains
population)*
Bird's-foot Violet*
Blanding's Turtle (Great Lakes / St.
Lawrence population)*
Bluehearts*
Blue Racer*
Blunt-lobed Woodsia*
Bogbean Buckmoth*

Jefferson Salamander*
Juniper Sedge*
Kentucky Coffee-tree*
Lakeside Daisy *
Large Whorled Pogonia*
Least Bittern*
Little Brown Myotis*
Loggerhead Shrike, *migrans* subspecies *
Massasauga, Carolinian population*
Massasauga, Great Lakes / St. Lawrence
population*
Nodding Pogonia*
Northern Myotis*
Pale-bellied Frost Lichen*
Pink Milkwort*
Piping Plover, *circumcinctus* subspecies*
Prothonotary Warbler*
Purple Twayblade*

Branched Bartonian*
 Butler's Gartersnake*
 Cherry Birch*
 Colicroot*
 Cucumber Tree*
 Deerberry*
 Dense Blazing Star*
 Drooping Trillium*
 Dwarf Hackberry*
 Eastern Flowering Dogwood*
 Eastern Foxsnake (Carolinian population)*
 Eastern Foxsnake (Great Lakes / St. Lawrence population)*
 Eastern Prairie Fringed Orchid*
 Eastern Prickly Pear Cactus*
 Engelmann's Quillwort*
 False Hop Sedge*
 False Rue-anemone*
 Five-lined Skink (Carolinian population)*
 Forked Three-awned Grass*
 Fowler's Toad*
 Gattinger's Agalinis*
 Goldenseal*
 Golden-winged Warbler
 Gray Fox*
 Gray Ratsnake (Carolinian population)*
 Gray Ratsnake (Great Lakes / St. Lawrence population)*
 Heart-leaved Plantain*
 Hill's Thistle*
 Hine's Emerald*
 Hoary Mountain-mint*
 Hungerford's Crawling Water Beetle*

Queensnake*
 Rapids Clubtail*
 Red-headed Woodpecker
 Red Knot, *rufa* subspecies*
 Red Mulberry*
 Round-leaved Greenbrier (Great Lakes Plains population)*
 Rusty-patched Bumblebee*
 Scarlett Ammannia *
 Slender Bush-clover*
 Small-flowered Lipocarpha *
 Small-mouthed Salamander*
 Small White Lady's-slipper *
 Small Whorled Pogonia *
 Spiny Softshell*
 Spoon-leaved Moss*
 Spotted Turtle*
 Spotted Wintergreen*
 Toothcup (Great Lakes Plains population)*
 Tri-coloured Bat*
 Virginia Goat's-rue*
 Virginia Mallow*
 Western Chorus Frog (Great Lakes / St. Lawrence - Canadian Shield population)
 Western Silvery Aster*
 Whip-poor-will*
 White Wood Aster*
 Wild Hyacinth*
 Willowleaf Aster*
 Woodland Caribou (Boreal population)*
 Wood Poppy*
 Wood Turtle*
 Yellow-breasted Chat *virens* subspecies*

* Species provincially listed as endangered or threatened, and receiving some habitat protection under the Ontario ESA.

A6 – Species with critical habitat identified on non-federal lands in Quebec

Allegheny Mountain Dusky Salamander
 (Great Lakes / St. Lawrence population)
 American Gingseng*

Northern Myotis
 Piping Plover, *melodus* subspecies*
 Purple Twayblade

American Water-willow*
 Bicknell's Thrush*
 Blanding's Turtle (Great Lakes / St. Lawrence population)*
 Blunt-lobed Woodsia*
 False Hop Sedge*
 Forked Three-awned Grass*
 Golden-winged Warbler*
 Green-scaled Willow*
 Gulf of St- Lawrence Aster*
 Horned Grebe (Magdalen Islands population)*
 Least Bittern*
 Little Brown Myotis*
 Maritime Ringlet*
 Mountain Holly Fern*

Red-headed Woodpecker*
 Red Knot, *rufa* subspecies*
 Roseate Tern*
 Spiny Softshell*
 Tri-coloured Bat*
 Van Brunt's Jacob's ladder*
 Victorin's Gentian*
 Western Chorus frog (Great lakes St-Lawrence population)*
 Whip-poor-will*
 White Wood Aster*
 Woodland Caribou (Atlantic-Gaspesie population)*
 Woodland Caribou (Boreal population)*
 Wood Turtle*

* Species designated as Threatened or Vulnerable under the *Act respecting Threatened or Vulnerable Species* (LEMV) or listed as a species likely to be designated as threatened or vulnerable under the LEMV.

A7 – Species with critical habitat identified on non-federal lands in New Brunswick

Bicknell's Thrush
 Cobblestone Tiger Beetle*
 Furbish's Lousewort*
 Gulf of St- Lawrence Aster*
 Least Bittern
 Little Brown Myotis*
 Maritime Ringlet*

Northern Myotis*
 Piping Plover, *melodus* subspecies*
 Tri-coloured Bat*
 Van Brunt's Jacob's ladder
 Whip-poor-will
 Wood Turtle

* Species provincially listed as endangered in Schedule A of the *New Brunswick Species at Risk Act*.

A8 – Species with critical habitat identified on non-federal lands in Prince Edward Island

Piping Plover, *melodus* subspecies

A9 – Species with critical habitat identified on non-federal lands in Nova Scotia

Bicknell's Thrush*
 Blanding's Turtle (Nova Scotia population)*
 Boreal Felt Lichen (Atlantic population)*
 Eastern Mountains Avens*

Piping Plover, *melodus* subspecies*
 Plymouth Gentian*
 Roseate Tern*
 Thread-leaved Sundew*

Eastern Ribbonsnake (Atlantic population)*	Tri-coloured Bat*
Little Brown Myotis*	Vole Ears lichen*
Northern Myotis*	Wood Turtle*
Pink Coreopsis*	

* Species provincially listed as endangered or threatened wildlife species under the Nova Scotia *Endangered Species Act*.

A10 – Species with critical habitat identified on non-federal lands in Newfoundland and Labrador

American Marten (Newfoundland population)*	Northern Myotis
Barrens Willow*	Piping Plover, <i>melodus</i> subspecies*
Fernald’s Braya*	Porsild’s Bryum*
Little Brown Myotis	Vole Ears lichen*
Long’s Braya*	Woodland Caribou (Boreal population)*

*Species provincially listed as endangered or threatened under the Newfoundland *Endangered Species Act*.

A11 – Species with critical habitat identified on non-federally administered lands in Yukon

Woodland Caribou (Boreal population)	
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A12 – Species with critical habitat identified on non-federally administered lands in the Northwest Territories

Woodland Caribou (Boreal population)	
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A13 – Species with critical habitat identified on non-federally administered lands in the Nunavut

Ivory Gull	Red Knot, <i>rufa</i> subspecies
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