

# **Progress Report on Steps Taken for Protection of Critical Habitat for Species at Risk in Canada (April 2023 – September 2023)**

December 2023

Canada

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## DEPARTMENTAL MESSAGE

Environment and Climate Change Canada (ECCC) and Parks Canada (PC) have a core responsibility to protect, conserve and recover terrestrial species at risk and their critical habitat. This responsibility is shared with provincial and territorial governments. ECCC and PC work cooperatively with provinces and territories, Indigenous Peoples, other federal departments and agencies, and other partners and stakeholders to undertake conservation measures to recover species at risk and protect biodiversity at large.

A key tool for the protection of species at risk in Canada is the federal *Species at Risk Act* (SARA). Listing species under SARA and producing the required recovery documents allows for the refinement of long-term recovery objectives and strategies for each species at risk and their habitats. However, as more species are listed under SARA, consensus has emerged on the need for a prioritized, multi-species, stewardship-based approach to better focus on recovery outcomes and undertake needed actions in an effective and timely manner. This approach is grounded in stronger multi-jurisdictional partnerships and engagement of all partners, notably with provinces and territories and Indigenous Peoples.

The Government of Canada has also prioritized biodiversity conservation on an international scale. The Kunming-Montreal Global Biodiversity Framework (KMGBF) was adopted in December 2022 at the 15th meeting of the Conference of the Parties to the Convention on Biological Diversity (COP15). This landmark document builds on the Strategic Plan for Biodiversity 2011-2020 and includes a set of goals, targets, and a partial set of indicators for Parties to address. A major focus of the KMGBF mission is halting and reversing biodiversity loss by 2030 and restoring biological diversity levels by 2050. The KMGBF represents “an ambitious path forward for our planet” and gives countries “the tools to turn the tide” on biodiversity loss<sup>1</sup>.

The Government of Canada has been collaborating with provinces<sup>2</sup>, territories, Indigenous Peoples, and other conservation partners to implement the [Pan-Canadian Approach to Transforming Species at Risk Conservation in Canada](#)<sup>3</sup> (Pan-Canadian Approach) since 2018. Conservation efforts under the Pan-Canadian Approach are concentrated on shared priorities across Canada, focusing on a set of priority places, species, and sectors. These concerted efforts are bringing conservation partners together to collectively plan and implement stewardship actions on the ground to achieve better outcomes for species at risk.

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<sup>1</sup> Government of Canada – Environment and Climate Change Canada (2022). “[Canada helps lead the world to agreement on the monumental Kunming-Montréal Global Biodiversity Framework](#).”

<sup>2</sup> The Government of Quebec is not implementing the Pan-Canadian Approach and the Canada-Quebec agreement for the protection of species at risk in Quebec has expired on March 31, 2022.

<sup>3</sup> <https://www.canada.ca/en/services/environment/wildlife-plants-species/species-risk/pan-canadian-approach/species-at-risk-conservation.html>

- Eleven priority places have been established that are hotspots for species at risk. These priority places cover nearly 30 million ha (including ~2 million ha of critical habitat for species at risk) with more than 320 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 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. To learn more about the Priority Places initiative and the work undertaken by our partners to recover species at risk within these priority places, please visit our [interactive website](#). These 11 priority places are complemented by a suite of Community-Nominated Priority Places (CNPP), which were identified through an open call for applications. In 2018-2022, more than 12,000 ha were secured and more than 150 km of shoreline and 65,000 ha were stewarded for species at risk through actions implemented by partners in the federal-provincial-territorial priority places. In 2019-2022, more than 1400 ha were secured and more than 950 km of shoreline and 15,000ha were stewarded for species at risk through actions implemented by partners through CNPP. Six priority places overlap with National Parks which broadens the collaboration between partners to maximize landscape-scale conservation benefits.
- Six priority species have been identified by federal-provincial-territorial governments: Greater Sage-Grouse; Wood Bison; Barren-ground Caribou; Peary Caribou; Caribou, Boreal population (“boreal caribou”); and Woodland Caribou, Southern Mountain population (“southern mountain caribou”). Priority species have large geographic ranges, an important ecological role at the national or regional scale, and many have high cultural, traditional and spiritual meaning for Indigenous Peoples. Together, the priority species’ ranges cover over 576 million ha – roughly ~58% – of Canada. Bilateral or multilateral conservation agreements have been signed with provinces, territories, and Indigenous Peoples to support commitments towards recovery planning and on-the-ground actions. 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: agriculture, forest sector and urban development. The priority sectors initiative addresses each of these sectors through a three-pronged approach:
  - supporting innovative sector projects that can lead to the protection and recovery of species at risk (such as integrating species at risk into sectoral plans, testing of decision support tools, assessing financial incentives and mechanisms)
  - creating a mechanism for collaboration with sectors; and
  - developing conservation action plans for species at risk with sector partners and stakeholders.

ECCC, along with PC, provinces and territories, Indigenous Peoples and other partners, continue to advance biodiversity conservation through the implementation of the Pan-Canadian Approach and related policy and program improvements.

## 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 different 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. The federal government is responsible for critical habitat<sup>4</sup> protection for all species at risk on federal lands.

Species at risk are important elements of healthy ecosystems, and protecting them helps support biodiversity. The protection of critical habitat supports the Goal 15, Healthy Wildlife Populations under the Federal Sustainable Development Strategy to protect and recover species, and conserve Canadian biodiversity. Critical habitat protection also supports United Nations Sustainable Development Target 15.5 (of Goal 15) to take urgent and significant action to reduce the degradation of natural habitats, halt the loss of biodiversity and, by 2030, protect and prevent the extinction of threatened species.

The Spring 2023 [Discretionary Powers to Protect Species at Risk](#) report by the Commissioner of the Environment and Sustainable Development to the Parliament of Canada included recommendations to ECCC for providing more complete information in progress reports. The department agreed with these recommendations. As per the department's official response to these recommendations, by March 2025, ECCC will continue to improve the information reported on steps taken by provinces and territories to protect critical habitat, and is investigating approaches to determining the species, and amount of their critical habitat, where there have been no steps taken toward the protection of its critical habitat. The next report in 2024 will include available elements towards meeting the report recommendations.

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 eleven reports prior to this publication on the measures taken. This report focuses on information related to the protection of critical habitat for terrestrial species at risk in Canada.

In addition to reporting on the implementation of SARA, federal, provincial<sup>5</sup> and territorial governments have been implementing the Pan-Canadian Approach since 2018. Now in its fifth year of implementation, the Pan-Canadian Approach is enabling conservation partners to work

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<sup>4</sup> Critical habitat means the habitat that is necessary for the survival or recovery of a listed wildlife species and that is identified as the species' critical habitat in the recovery strategy or in an action plan for the species (S.C. 2002, e.29).

<sup>5</sup> With the exception of Quebec.

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 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 266 terrestrial species at risk<sup>6</sup> in Canada, with the identification of critical habitat for a new species and the removal of another<sup>7</sup> since the previous report published in June 2023 (see Annex A). The report includes information related to species at risk critical habitat on federal and non-federal lands. Building on the previous eleven publications<sup>8</sup>, this report focuses on steps and actions that have been taken during the reporting period of April 1, 2023 to September 30, 2023. Since the first multi-species report (June 2019), 432 steps and actions have been reported towards protection of identified critical habitat for species at risk.

## **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 terrestrial species at risk. The report also includes information on other collaborative efforts as well as information on steps and actions taken on federal lands including input from PC. In addition, Grants and Contributions (G&C) program funding to support the protection of critical habitat is included in this report. This funding information is reported once annually to better reflect ECCC's internal processes and the reporting cycle of G&C recipients.

Guided by 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. ECCC 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:

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<sup>6</sup> The report provides a summary only for species at risk that are listed as Endangered or Threatened under SARA with critical habitat identified on non-federal and federal lands.

<sup>7</sup> Critical habitat for the Chimney Swift has been identified on non-federal land in some provinces and the Loggerhead Shrike, eastern population has been removed from the Annex A6 since its critical habitat is not identified in Québec.

<sup>8</sup> Three reports are related to boreal 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 eight multi-species reports for all 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 legislation or a regulation under 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 other 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 legal designation as a protected area.
- **Range and management planning:** Steps linked to the development and implementation of management plans and range plans.
- **Control of Activities likely to result in destruction of critical habitat (ALTDS):** Any steps 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 that help maintain, restore or enhance the quality of habitat.

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 in a final federal recovery strategy or action plan<sup>9</sup>.

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, 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 will also look to do so with its counterparts in Nunavut through the devolution process.

## 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,

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<sup>9</sup> As of September 30, 2023.



followed by the different actions and measures put in place which reduce the risk of destruction of critical habitat.

## 1.1 British Columbia

### Status Summary

In British Columbia (BC), there are 107 species at risk with federally identified critical habitat to which this report relates (see Annex A1). From April 1, 2023 to September 30, 2023, no additional critical habitat was identified within BC. No legislative changes were made during the reporting period; the summary of legislation is below.

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

The *Ecological Reserve Act*, the *Park Act*, the *Wildlife Act*, the *Land 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* (FRPA) and the *Energy Resources Activities Act* (ERAA) and associated regulations include enforceable prohibitions, but the prohibitions only apply to forest harvesting activities, oil and gas 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 February 13, 2023 the province amended the Forest Planning and Practices Regulation under the FRPA to remove the limitation “without unduly reducing the supply of timber” from objectives set by government in the Act (BC Reg 36/2023). This change enables forest stewardship plan holders and Ministry decision makers to fully balance forest values when managing for timber and non-timber objectives under the FRPA. This clause has not yet been removed from FRPA’s [Government Actions Regulation](#), which is the mechanism to establish wildlife habitat areas and ungulate winter ranges, but work is underway to establish an amendment. For more information, please see [Removing limitations on objectives set by government - Province of British Columbia](#).

On non-federal lands, some provisions in other pieces of legislation in BC 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 on non-federal lands within the designated reporting period.

**Steps and actions taken for specific species**

<b>CATEGORY</b>	<b>SPECIES</b>	<b>DETAILS</b>
Protected areas	Woodland Caribou (Southern Mountain population)	On July 17, 2023, the Ancient Forest/Chun T’oh Whudujut Protected Area was expanded to include an area that was previously reserved for a quarry, operated by the Ministry of Transportation and Infrastructure. The 87 ha of land added to the protected area is an undeveloped forest stand with old growth cedar trees, and overlaps entirely with southern mountain caribou critical habitat (as does the entirety of the original Protected Area and adjacent Provincial Park).
Protected areas	Marbled Murrelet	Marbled Murrelet orders established 4 new Wildlife Habitat Areas (WHA) and updated 7 existing WHAs and took into effect on August 3, 2023. A total of 1227 ha overlap with areas including critical habitat of Marbled Murrelet.

**Steps and actions taken related to multiple species, priority places and priority sectors**

<b>CATEGORY</b>	<b>SPECIES</b>	<b>DETAILS</b>
Protected areas	Lewis’s Woodpecker Western Rattlesnake Great Basin Gophersnake	Lac du Bois Grasslands Protected Area was expanded to include a previously private parcel on the northeast side that was donated to BC in 2020 as well as an additional 113 ha that was previously encumbered by a mineral claim in the south. Both areas add important grassland habitat to Lac du Bois Grasslands Protected Area. This addition overlaps with the critical habitat of Lewis’s Woodpecker (8.2 ha) and Western Rattlesnake and Great Basin Gophersnake (3.3 ha).
Legislative or regulatory	Multiple species	On July 18, 2023, an announced change to the new Ecological Reserve Regulation will enable compliance and enforcement measures in ecological reserves so individuals conducting illegal activities can be prosecuted or fined. Under the previous regulation, BC Parks lacked the ability to impose penalties on individuals and companies that disobey the law in these sensitive ecosystems.

<p>Securement</p>	<p>Bank Swallow</p> <p>Great Basin Gophersnake</p> <p>Great Basin Spadefoot</p> <p>Lewis’s Woodpecker</p> <p>Marbled Murrelet</p> <p>Pallid Bat</p> <p>Woodland Caribou (Southern Mountain population)</p> <p>Western Rattlesnake</p> <p>Western Tiger Salamander (Southern Mountain population)</p>	<p>With the support of Nature Smart Climate Solutions (NSCSF) funding, private lands with high carbon sequestration or storage values have been secured across BC. Many of these parcels also provide exceptional habitat values for species at risk. In the 2022-2023 fiscal year, with ECCC - NSCSF funding, the Nature Trust of BC, BC Ministry of Water, Land and Resource Stewardship, and the BC Parks Foundation collectively secured 775 ha of private land that contributes to the protection of critical habitat for four federally-listed species at risk: Southern Mountain Caribou (541.8 ha that contain critical habitat secured); Oregon Spotted Frog (2.66 ha), Lewis's Woodpecker (23.32 ha), and Western Rattlesnake (83.4 ha).</p> <p>With other ECCC funding (Target 1 Challenge Fund), within the Dry Interior Priority Place the Nature Conservancy of Canada secured 4,044.8 ha of bunchgrass, open dry forest, and wetland habitat near Merritt, BC. This large conservation complex, now known as the Bunchgrass Hills, contains areas that may contain critical habitat for Great Basin Spadefoot (814.7 ha), Lewis's Woodpecker (360.2 ha), Great Basin Gophersnake (880.9 ha), and American Badger (<i>jeffersonii</i> subspecies, Western population; 3961.0 ha).</p> <p>With ECCC funding the Comox Valley Land Trust and partner organizations secured 290.4 ha of ecologically-valuable private land near Nanaimo, BC, within the Southwestern BC Priority Place. These parcels contain identified critical habitat for one species: Western Painted Turtle (Southern Mountain population; 164.6 ha of areas containing critical habitat).</p> <p>ECCC secured an additional 45 ha adjacent to the Wilmer unit of the Columbia National Wildlife Area (NWA) which will be added to the NWA in the near future. These lands overlap with critical habitat for Southern Mountain Caribou.</p> <p>All of these lands will be protected from incompatible uses and will be managed to maintain habitat values.</p>
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<p>Stewardship</p> <p>Control of activities likely to result in destruction of critical habitat</p>	<p>Multiple species</p>	<p>Within the Southwestern BC Priority Place, in the 2022-2023 fiscal year, funding under ECCC's Priority Places program supported BC and environmental non-government organizations (ENGO's) in implementing 15 projects that collectively targeted 54 species at risk with identified critical habitat. For example:</p> <p>In the 2022-23 fiscal year, with Priority Places funding the Nature Trust of BC secured 89 ha of ecologically-valuable private land in the southern Gulf Islands. These parcels contain identified critical habitat for three species: Lindley's False Silverpuffs (0.13 ha of area that contains critical habitat), Slender Popcornflower (8.46 ha), and White Meconella (2.55 ha). This critical habitat will now be protected from residential and recreational development.</p> <p>In four separate, continuing, ECCC-funded projects in the 2022-23 fiscal year, The South Coast Conservation Land Management Program (SCCLMP), Islands Trust Conservancy (ITC), West Coast Conservation Land Management Program (WCCLMP) and Nature Conservancy of Canada continued to take action to maintain and improve the quality of critical habitat for species at risk. Each partner maintained and improved habitat values within existing conservation lands in their region of operation (SCCLMP: conservation properties in BC's Lower Mainland; ITC: ITC owned and managed lands in the Gulf Islands; WCCLMP: conservation properties in the East coast of Vancouver Island; and Nature Conservancy of Canada: their parcels across the Southwestern BC Priority Place), undertaking activities such as invasive plant species control and removal, planting indigenous species, control of infilling and encroaching shrubs and forest, and managing human recreational pressures. Collectively, these actions have maintained habitat quality of over 4,200 ha of conservation land, which includes critical habitat for 20 species at risk: Audouin's Night-stalking Tiger Beetle, Barn Owl Western population, Blue-Grey Taildropper, Coastal Giant Salamander, Coastal Scouler's Catchfly, Contorted-pod Evening-primrose, Dun Skipper vestris subspecies, Edward's Beach Moth, Howell's Triteleia, Marbled Murrelet, Northern Goshawk laingi subspecies,</p>
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<p>Securement</p> <p>Control of activities likely to result in destruction of critical habitat</p> <p>Stewardship</p>	<p>Multiple species</p>	<p>Within the Dry Interior BC Priority Place, in the 2022-2023 fiscal year, funding under ECCC's Priority Places program supported BC, local government, and ENGO organizations in implementing 15 projects that collectively targeted 26 species at risk with identified critical habitat. For example:</p> <p>The BC Ministry of Water, Land and Resource Stewardship and partners restored approximately 2 ha of wetland and riparian habitat at Ginty's Pond, in Keremeos. The restored habitat improved critical habitat quality for Great Basin Gophersnake (2.0 ha of area containing critical habitat), Western Rattlesnake (2.0 ha), Great Basin Spadefoot (2.0 ha), Lewis's Woodpecker (2.0 ha) and American Badger (jeffersonii subspecies, Western population, approx. 0.5 ha).</p>

		<p>In 2022-2023, The Nature Trust of BC (NTBC), with Priority Places funding, restored riparian and adjacent upland habitat at several sites in the Okanagan and Similkameen valleys by installing livestock exclusion fencing, removing invasive plants and planting indigenous riparian vegetation. These activities conserved and restored approximately 20 ha, which includes critical habitat for Great Basin Gophersnake, Western Rattlesnake, Desert Nightsnake, Lewis's Woodpecker and Great Basin Spadefoot. The NTBC also maintained habitat quality for 0.3 ha of areas containing critical habitat for Contorted-pod Evening Primrose on Savary Island by removing invasive plants from the area. This multi-year project will continue to 2026.</p> <p>Nature Conservancy Canada conducted a variety of habitat maintenance and restoration activities across several of their conservation properties throughout the Dry Interior Priority Place. Activities included thinning of encroaching and infilling trees, invasive species control, and planting indigenous vegetation. Collectively these activities maintained and improved habitat quality on over 3,900 ha of conservation lands, which contain critical habitat for 10 species at risk: Desert Nightsnake, Great Basin Spadefoot, Great Basin Gophersnake, Half-Moon Hairstreak, Lewis's Woodpecker, Olive Clubtail, Sage Thrasher, Western Rattlesnake, Williamson's Sapsucker, and Yellow-Breasted Chat auricollis Southern Mountain Population. This multi-year project will continue to 2025.</p> <p>ECCC conducted maintenance and monitoring of habitat restoration for Yellow-breasted Chat in the Vaseux-Bighorn NWA.</p>
Stewardship	Lewis's Woodpecker Spalding's Campion	Starting in 2019-20, with Community-Nominated Priority Places funding, ᑭᐱᑦᐱᐱ, in partnership with ᑭᐱᑦᐱᐱ ᑭᐱᑦᐱᐱ 'it and the Rocky Mountain Trench Ecosystem Restoration Society, initiated grassland and open dry forest habitat restoration. In 2022-2023, project partners undertook invasive species control and thinning of infilling forests at multiple sites. In April of 2023 ᑭᐱᑦᐱᐱ successfully undertook a prescribed burn, the culmination of several years of

		preparation, to restore approximately 1,200 ha of grassland and open dry forest on Kootenay 1 reserve, near Cranbrook, BC. Collectively, these actions improved critical habitat quality for American Badger ( <i>jeffersonii</i> subspecies, Eastern population; 1,261 ha of areas containing critical habitat) and Lewis's Woodpecker (9.6 ha). This multi-year project will continue to 2026.
Stewardship Control of activities likely to result in destruction of critical habitat Protected areas	Bank Swallow Lewis's Woodpecker Northern Leopard Frog (Rocky Mountain population) Williamson's Sapsucker	<p>Starting in 2019-20, with Community-Nominated Priority Places funding, the Kootenay Conservation Program and several partner organizations initiated a program of wetland and riparian and grassland-focused habitat restoration, with an emphasis on improving landscape connectivity throughout the Kootenay region of BC.</p> <p>As part of the Kootenay Connect Community-Nominated Priority Place, in 2022-23 Nature Conservancy Canada and the Nature Trust of BC secured 71.7 ha of ecologically-valuable private land in the Slocan valley and Rocky Mountain Trench of BC. These lands contain identified critical habitat for four species: Whitebark Pine (4.9 ha of areas containing critical habitat); Southern Mountain Caribou (71.7 ha), Bank Swallow (26.2 ha), and American Badger (<i>jeffersonii</i> subspecies, Eastern population, 66.8 ha). This critical habitat will now be protected from residential or recreational development.</p> <p>Also as part of the Kootenay Connect Community-Nominated Priority Place, in 2022-23 the Creston Valley Wildlife Management Authority restored additional wetland and riparian habitat on a former agricultural field and excluded cattle from managed grasslands near Creston, BC, improving critical habitat for Northern Leopard Frog (38.0 ha of area containing critical habitat improved) and American Badger (<i>jeffersonii</i> subspecies, Eastern population, 38.0 ha). The Nature Trust of BC and Nature Conservancy Canada continued extensive repair and replacement of livestock exclusion fencing, invasive species control, and thinning of infilling forest to maintain and improve habitat values within the Wycliffe Conservation Complex north of Cranbrook, BC, improving the quality of critical habitat for American Badger</p>

		(jeffersonii subspecies, Eastern population, 1,114 ha of areas containing critical habitat), Lewis’s Woodpecker (430.1 ha), Williamson’s Sapsucker (18.1 ha), and Bank Swallow (96.1 ha). This multi-year project will continue to 2026.
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## 1.2 Alberta

### **Status Summary**

In Alberta, there are 25 species at risk with federally identified critical habitat to which this report relates (see Annex A2). From April 1, 2023, to September 20, 2023, no additional critical habitat was identified 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 13 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 on non-federal lands within the designated reporting period.

### **Steps and actions taken for specific species**

<b>CATEGORY</b>	<b>SPECIES</b>	<b>DETAILS</b>
Policy	Piping Plover <i>circumcinctus</i> subspecies	A Piping Plover waterbody (NW Killarney) identified as containing critical habitat was added to the Alberta provincial Landscape Analysis Tool thereby enabling land-use management under the <i>Public Lands Act</i> to apply to this waterbody, including the application of industrial setbacks.



Agreements or easements	Bank Swallow	The Alberta Land Trust Grant Program funded over 316 acres of area containing critical habitat placed into a conservation easement with Western Sky Land Trust Society (and investment of \$147,800 from the Land Stewardship Fund).
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**Steps and actions taken related to multiple species, priority places and priority sectors**

<b>CATEGORY</b>	<b>SPECIES</b>	<b>DETAILS</b>
Control of activities likely to result in destruction of critical habitat	Dusky Dune Moth Gold-edged Gem Smooth Goosefoot Western Spiderwort	On June 20 and 22, 2023 Government of Alberta staff removed Baby’s Breath plants, an invasive species, from the critical habitat of Gold-edged Gem, Dusky Dune Moth, Smooth Goosefoot, and Western Spiderwort in the Pakowki sandhills.
Stewardship	Multiple species	The Rangeland Grazing Framework was completed and released in April 2023. It recognizes the collaboration between the Government of Alberta and grazing disposition holders towards sustainable management of Crown lands. This framework outlines the essential role grazing has in maintaining much of Alberta’s 3.3 million ha of Crown rangelands, and enables the stewardship of disposition holders to achieve environmental outcomes such as species at risk habitat conservation by including recognition of long lasting social and economic objectives.
Stewardship	Multiple species	The Alberta Conservation Association’s Multiple Species at Risk (MULTISAR) is continuing to work towards developing a Habitat Conservation Strategy for a large 31,000 ha Provincial Grazing Reserve in the southeast corner of Alberta. Wildlife assessments were completed in summer 2023, and 85% of the range and riparian habitat was also assessed in 2023. In collaboration with landowners, 16 ha were seeded back to native grass.

### 1.3 Saskatchewan

#### **Status Summary**

In Saskatchewan, there are 22 species at risk with federally identified critical habitat to which this report relates (see Annex A3). From April 1, 2023 to September 30, 2023, critical habitat for a new species (Chimney Swift) was identified within Saskatchewan. As this critical habitat is newly identified, no protection actions for this species occurred during this reporting period. 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 Wildlife Act, 1998* 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, it 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 on non-federal lands within the designated reporting period.

#### **Steps and actions taken for specific species**

<b>CATEGORY</b>	<b>SPECIES</b>	<b>DETAILS</b>
Range and management planning	Caribou (Boreal population)	Provincial approval of boreal caribou range plans triggers an approval condition for licensees to amend Forest Management Plans (FMP) to align with approved range plans. Amended FMPs developed by Mistik Management Ltd. and Tolko Industries Ltd. were approved in summer 2023, with amendments aligning with the provincially-approved SK2 West range plan. Amendments to FMPs included spatial delineation of Caribou Habitat Management

		Areas (CHMAs) and commitments to defer harvest in Tier 1 CHMAs for a minimum of 20 years.
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**Steps and actions taken related to multiple species, priority places and priority sectors**

<b>CATEGORY</b>	<b>SPECIES</b>	<b>DETAILS</b>
Stewardship	Caribou (Boreal population)  Chestnut-collared Longspur  Sprague's Pipit  Swift Fox	Between April 1, 2023, and September 30, 2023, a total of 50 wells received the Acknowledgement of Reclamation (1 gas well and 49 stratigraphic test wells), involving an area of 4.9 ha. The 49 stratigraphic wells occur in boreal caribou habitat whereas the one gas well affects three species at risk: Chestnut-collared Longspur, Sprague's Pipit, and Swift Fox.

**1.4 Manitoba**

**Status Summary**

In Manitoba, there are 23 species at risk with federally identified critical habitat to which this report relates (see Annex A4). From April 1, 2023 to September 30, 2023, critical habitat for a new species (Chimney Swift) was identified within Manitoba. As this critical habitat is newly identified, no protection actions for this species occurred during this reporting period. There have been no modifications to species at risk legislation within this reporting period.

The *Endangered Species and Ecosystems Act* (ESEA) covers 21 SARA listed species with critical habitat identified on non-federal lands (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 2023, 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 on non-federal lands within the designated reporting period.

**Steps and actions taken for specific species**

CATEGORY	SPECIES	DETAILS
All	Multiple Species	No new steps and actions were taken for specific species during this reporting period.

**Steps and actions taken related to multiple species, priority places and priority sectors**

CATEGORY	SPECIES	DETAILS
All	Multiple Species	No new steps and actions were taken for multiple species during this reporting period.

**1.5 Ontario**

**Status Summary**

In Ontario, there are 103 species at risk with federally identified critical habitat to which this report relates (see Annex A5). From April 1, 2023 to September 30, 2023, critical habitat for a new species (Chimney Swift) was identified within Ontario. As this critical habitat is newly identified, no protection actions for this species occurred during this reporting period. There have been no modifications to species at risk legislation within this reporting period.

Habitat protection under Ontario’s *Endangered Species Act* (ESA) is in place for 190 species at risk in Ontario, 98 of which are part of the 103 terrestrial species with critical habitat identified on non-federal lands in the province (see Annex A5). Under the *Crown Forest Sustainability Act* (CFSA), forest operations in Crown forests are exempt from certain prohibitions of the ESA provided the forest operations are conducted in accordance with an approved forest management plan. Impacts to species at risk as a result of forest operations are managed through requirements under the CFSA framework. Western Chorus Frog (Great Lakes / St. Lawrence - Canadian Shield population) (not currently listed under the ESA), Golden-winged Warbler (currently listed Special Concern under the ESA), and Lakeside Daisy (currently listed Special Concern under the

ESA) 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 on non-federal lands within the designated reporting period.

**Steps and actions taken for specific species**

<b>CATEGORY</b>	<b>SPECIES</b>	<b>DETAILS</b>
Control of activities likely to result in destruction of critical habitat	Caribou (Boreal population)	Under the <i>Ontario Forest Management Guide for Boreal Landscapes</i> , the 2024-2034 Draft Forest Management Plan for the Lac Seul Forest was posted for a 60-day public review and comment period beginning in July 2023.

**Steps and actions taken related to multiple species, priority places and priority sectors**

<b>CATEGORY</b>	<b>SPECIES</b>	<b>DETAILS</b>
Stewardship	Multiple species	The province of Ontario’s Species at Risk Stewardship Recovery Program (SARSP) supports the protection and recovery of Ontario’s species at risk by restoring important habitat, mitigating threats, filling knowledge gaps through research and monitoring, and promoting awareness through education and outreach initiatives. SARSP cycles annually with a reporting period of March to February. From March 2022 – February 2023, SARSP supported 67 ongoing or new stewardship projects that helped to enhance or create 3,927 ha of habitat and reached 2,846,079 ha through outreach impressions. From March 2023 – February 2024, SARSP is supporting 50 ongoing or new projects.
Protected Areas	Blanding’s Turtle (Great Lakes / St.	Ontario Parks designated the Ostrander Crown Land Block and Point Petre Provincial Wildlife Area as the Monarch Point Conservation Reserve on June 16, 2023.

	<p>Lawrence population) Eastern Whip-poor-will</p>	<p>These two areas along the southern shore of Prince Edward County are now part of Ontario’s protected areas system, strengthening the long-term protection and health of important ecological, geological, recreation and cultural values.</p> <p>The site conserves over 1,600 ha of land, including area of Blanding's Turtle critical habitat, and represents the first new conservation reserve identified in Ontario since those announced in 1999 as part of Ontario’s Living Legacy Land Use Strategy.</p>
<p>Stewardship</p>	<p>Multiple species including: Acadian Flycatcher American Badger, <i>jacksoni</i> subspecies American Chestnut Bank Swallow Bent Spike-rush (Great Lakes Plains population) Blanding’s Turtle (Great Lakes/St. Lawrence population) Cerulean Warbler</p>	<p>In 2022-2023, the Canada Nature Fund provided funding to 11 projects in the Long Point Walsingham Forest (LPWF) Priority Place. Through these projects, the LPWF Collaborative promoted agricultural Best Management Practices, improved open country habitat including tallgrass prairie, oak savannah and oak woodland communities and forest and treed swamp habitat, monitored species at risk in open country and treed ephemeral wetlands as well as the nest boxes of Prothonotary Warbler, implemented a landscale management plan for invasive species by a Stewardship Team and installed road signs to mitigate amphibian and reptile road mortality.</p>

Cucumber Tree	
Eastern Flowering Dogwood	
Eastern Foxsnake (Carolinian population)	
Eastern Whip-poor-will	
Fowler's Toad	
Golden-winged Warbler	
Gray Ratsnake (Carolinian population)	
Horsetail Spike-rush	
Jefferson Salamander	
Large Whorled Pogonia	
Least Bittern	
Little Brown Myotis	
Northern Myotis	
Prothonotary Warbler	
Queensnake	

	<p>Red-headed Woodpecker</p> <p>Round-leaved Greenbrier (Great Lakes Plains population)</p> <p>Rusty-patched Bumble Bee</p> <p>Spiny Softshell</p> <p>Spotted Wintergreen</p> <p>Tri-coloured Bat</p> <p>Virginia Goat's-rue</p>	
Stewardship	<p>Multiple species, including:</p> <p>Blanding's Turtle (Great Lakes / St. Lawrence population)</p> <p>Eastern Foxsnake (Great Lakes / St. Lawrence population)</p> <p>Massassauga (Great Lakes /St. Lawrence population)</p>	<p>In 2022-2023, ECCC provided funding to the Georgian Bay Biosphere Region Community-Nominated Priority Place, now named Maamwi Ankiakiziwin. This supported the implementation of Best Management Practices related to road development and corridors and a diverse suite of activities to mitigate road mortality, the organization of workshops with additional municipalities and First Nation communities related to species at risk protection and worked and engaged with community partners, landowners, researchers and youth for species at risk protection.</p>



	Spotted Turtle	
Stewardship	Multiple species, including:  Blanding's Turtle (Great Lakes / St. Lawrence population)  Spotted Turtle  Wood Turtle	In 2022-2023, ECCC provided funding to the Land Between Bioregion Community Nominated Priority Place which supported the restoration of shoreland habitats, the implementation of nest watch, excavation, incubation, and release program, the negotiation with municipalities to acquire permits, install mitigation structures and solicit landowners, the organization of workshops for youth and other groups and the integration of data from field crews and developers of new roads to identify new sites for mitigation and assessment of turtle tunnel feasibility.

**1.6 Quebec**

**Status Summary**

In Quebec, there are 38 species at risk with federally identified critical habitat to which this report relates (see Annex A6). From April 1, 2023 to September 30, 2023, critical habitat for a new species (Chimney Swift) was identified within Quebec. During this period, the Quebec government enacted the *Regulation to amend the Regulation respecting threatened or vulnerable wildlife species and their habitats*, to enable it to designate 27 new wildlife species and determine the characteristics identifying the habitats of 28 threatened or vulnerable species.

In Quebec, among the species listed in Annex A6, 33 are designated as threatened or vulnerable under the *Act respecting threatened or vulnerable species* (LEMV).<sup>10</sup> The legislation also provides for the creation of a *List of plant and wildlife species which are likely to be designated as threatened or vulnerable*, primarily for preventive purposes. The list is an administrative and educational tool aimed at halting, or even reversing, the decline of species. Three of the species listed in Annex A6 are included on this list. However, there is no obligation to designate or protect habitats that are 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 lands in the domain of the State, therefore limiting

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<sup>10</sup> These numbers come from the *Regulation to amend the Regulation respecting threatened or vulnerable wildlife species and their habitats*, as published in the *Gazette officielle du Québec* on June 21, 2023.

the protection of habitat for wildlife species at risk. 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 on non-federal lands within the designated reporting period.

The Canada-Quebec agreement for the protection of species at risk in Quebec expired on March 31, 2022. Since then, the province has shared very little data with ECCC, including updated information on the measures and actions taken to protect the critical habitat of species at risk on non-federal lands.

**Steps and actions taken for specific species**

CATEGORY	SPECIES	DETAILS
All	Multiple species	No content was provided by the province for specific species for this reporting period.

**Steps and actions taken related to multiple species, priority places and priority sectors**

CATEGORY	SPECIES	DETAILS
All	Multiple species	No content was provided by the province for multiple species for this reporting period.
Agreements or Easements	Forked Three-awned Grass	In 2022-23, the Canada Nature Fund provided funding for 3 new projects and for the continuation of 11 existing projects in the St. Lawrence Lowlands (SSL) Priority Place identified in Quebec under the Pan-Canadian Approach to Transforming Species at Risk Conservation in Canada. All of these are multi-year projects involving a wide range of partners. The critical habitat of some 17 species at risk
Securement	White Wood Aster	
Stewardship	False Hop	
Control of activities	Sedge	

likely to result in destruction of critical habitat	<p>American Water-willow</p> <p>Northern Myotis</p> <p>Eastern Whip-poor-will</p> <p>Victorin's Gentian</p> <p>American Ginseng</p> <p>Bobolink</p> <p>Purple Twayblade</p> <p>Golden-winged Warbler</p> <p>Least Bittern</p> <p>Little Brown Myotis</p> <p>Western Chorus Frog (Great Lakes/St. Lawrence – Canadian Shield population)</p> <p>Allegheny Mountain Dusky (Appalachian population)</p> <p>Eastern Meadowlark</p>	<p>could benefit from the various conservation actions taken under these projects. The projects include:</p> <ul style="list-style-type: none"> <li>• alliance and partnership development, in particular for sharing knowledge on conservation issues (for example, some 50 different organizations have collaborated in this regard on various committees in the Centre-du-Québec region);</li> <li>• outreach efforts, which in some cases will lead to the protection of important areas for species at risk and, where possible, critical habitat (a conservation organization has secured 152 ha of high-priority habitats for species at risk and biodiversity in the Centre-du-Québec region through land acquisition and conservation servitudes); and</li> <li>• planning, which in some cases will lead to the implementation of best management practices or to enhancements benefiting species at risk (for example, 26 enhancements have been planned and 5 enhancements covering a total area of 1.8 ha have been completed in core conservation areas [hot spots] in the Centre-du-Québec region).</li> </ul>
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	<p>Wood Turtle</p> <p>Spiny Softshell</p> <p>Blanding’s Turtle (Great Lakes/St. Lawrence population)</p>	
<p>Agreements or Easements</p> <p>Securement</p> <p>Stewardship</p> <p>Control of activities likely to result in destruction of critical habitat</p>	<p>Gulf of St. Lawrence Aster</p> <p>Northern Myotis</p> <p>Eastern Whip-poor-will</p> <p>American Ginseng</p> <p>Horned Grebe (Magdalen Islands population)</p> <p>Bicknell’s Thrush</p> <p>Golden-winged Warbler</p> <p>Little Brown Myotis</p> <p>Piping plover <i>melodus</i> subspecies</p> <p>Allegheny Mountain Dusky</p>	<p>In 2022-23, the Canada Nature Fund provided additional funding for two projects in the Magdalen Islands and Northern Green Mountains Community-Nominated Priority Places in Quebec. These are multi-year projects involving a number of partners and a range of collaborative activities. The critical habitat of some 13 species at risk could benefit from the various conservation actions taken in these projects. These two projects, initially set to run for 4 years, were extended until March 31, 2026 (total of 7 years). The activities related to these projects have continued, including the following:</p> <ul style="list-style-type: none"> <li>• outreach efforts, which in some cases will lead to the protection of important areas for species at risk and, where possible, critical habitat;</li> <li>• conservation organizations are working together to secure nearly 67 ha of important habitat for species at risk in the Northern Green Mountains through land acquisition and conservation agreements; and</li> <li>• stewardship actions aimed at controlling threats to individuals of species at risk (posting signs for all-terrain vehicles, providing cages to protect species from predation, and monitoring and outreach activities covering all Piping Plover habitat, that is, approximately 30 linear kilometres in the Magdalen Islands).</li> </ul>

	(Appalachian population)	
	Roseate Tern	
	Wood Turtle	

## 1.7 New Brunswick

### **Status Summary**

In New Brunswick, there are 17 species at risk with federally identified critical habitat to which this report relates (see Annex A7). From April 1, 2023, to September 30, 2023, critical habitat for one new species (Chimney Swift) was identified within New Brunswick. As this critical habitat is newly identified, no protection actions for this species occurred during this reporting period. 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 17 species at risk with federally identified critical habitat in New Brunswick, 10 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 apply<sup>11</sup>. 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 the NB SARA.

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.

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<sup>11</sup> For more information, please refer to the Act: <http://laws.gnb.ca/en/showfulldoc/cs/2012-c.6//20210621>

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.

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 on non-federal lands within the designated reporting period.

**Steps and actions taken for specific species**

CATEGORY	SPECIES	DETAILS
Stewardship	Bank Swallow	Living shoreline bank stabilization at Youghall Beach in Bathurst. The engineering of the stabilization work was developed to protect a Bank Swallow colony.
Control of activities likely to result in destruction of critical habitat	Bank Swallow Bicknell's Thrush Piping Plover <i>melodus</i> subspecies Wood Turtle	In New Brunswick, reviewing land-use applications for Species at Risk concerns is standard practice. These include Crown Land applications, Watercourse and Wetland Alteration applications, Mineral Exploration applications and Environmental Impact Analysis applications. The number of applications for which mitigation was requested or that were rejected were as follows:  Bank Swallow: 5 Bicknell's Thrush: 15 Piping Plover: 9 Wood Turtle: 6 Bats: 8 Eastern Whip-poor-will: 2 Least Bittern: 1

**Steps and actions taken related to multiple species, priority places and priority sectors**

CATEGORY	SPECIES	DETAILS
Stewardship	Bank Swallow Piping Plover <i>melodus</i> subspecies	Wele'k Pemjajika'q Sikniqt – Côtes en santé N.B. – Healthy Coasts NB Community-Nominated Priority Place through support of the Canada Nature Fund, Nature New Brunswick,

		<p>Birds Canada and partners are working to conserve and steward species at risk critical habitat.</p> <p>Examples of actions implemented in 2022-23 include:</p> <ul style="list-style-type: none"> <li>• coordination of a beach guardian program – volunteers are trained to collect data on species, habitats and threats as well as engage beach visitors on best practices to reduce threats.</li> </ul>
<p>Protected areas</p> <p>Agreements or easements</p> <p>Control of activities likely to result in destruction of critical habitat</p>	<p>Barn Swallow</p> <p>Wood Turtle</p>	<p>Within the Wolastoq/Saint John River Priority Place and through support of the Canada Nature Fund are working to conserve and steward species at risk critical habitat.</p> <p>Examples of actions implemented in 2022-23 include:</p> <ul style="list-style-type: none"> <li>• the Nature Trust of New Brunswick permanently protected one property totaling 38 ha, including critical habitat for Wood Turtle;</li> <li>• the Government of New Brunswick established conservation easements in perpetuity on properties totaling 2,325 ha, including critical habitat for Wood Turtle; and</li> <li>• educational resources were produced and distributed to farm landowners on how to reduce destruction of habitat for Barn Swallow in the Wolastoq watershed.</li> </ul>

**1.8 Prince Edward Island**

**Status Summary**

In Prince Edward Island (PEI), there are six species at risk with federally identified critical habitat to which this report relates (see Annex A8). From April 1, 2023, to September 30, 2023, no additional critical habitat was identified 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 *Wildlife Conservation Act* provides the Government of PEI 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 on non-federal lands within the designated reporting period.

**Steps and actions taken for specific species**

CATEGORY	SPECIES	DETAILS
All	Multiple Species	No content on the steps and actions taken for specific species was provided for this reporting period.

**Steps and actions taken related to multiple species, priority places and priority sectors**

CATEGORY	SPECIES	DETAILS
Stewardship	Bank Swallow  Piping Plover <i>melodus</i> subspecies	Prince Edward Island Coastal Ecosystems: Understanding Connections, Protecting and Sharing the Space Community-Nominated Priority Place through support of the Canada Nature Fund, Island Nature Trust and partners are working to conserve and steward species at risk critical habitat.  Examples of actions implemented in 2022-23 include: <ul style="list-style-type: none"> <li>• staff monitored species, habitats and threats as well as engaged beach visitors on best practices to reduce activities likely to result in destruction of critical habitat;</li> <li>• coordination of a beach guardian program – volunteers are trained to monitor species, habitats and threats as well as engage beach visitors on best practices to reduce activities likely to result in destruction of critical habitat; and</li> <li>• restoration of dune habitat.</li> </ul>



## 1.9 Nova Scotia

### Status Summary

In Nova Scotia, there are 22 species at risk with federally identified critical habitat to which this report relates (see Annex A9). From April 1, 2023, to September 30, 2023, critical habitat for one new species (Chimney Swift) was identified within Nova Scotia. As this critical habitat is newly identified, no protection actions for these species occurred during this reporting period. There have been no modifications to legislation which applies to species at risk within this reporting period.

The *Endangered Species Act* (NS ESA) covers 20 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 NS ESA has prohibitions against the destruction of residence such as nests or hibernacula, including dwellings that are anthropogenic structures. The NS ESA 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 the NS ESA.

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 on non-federal lands within the designated reporting period.

### Steps and actions taken for specific species

CATEGORY	SPECIES	DETAILS
Agreements or easements	Bicknell's Thrush	In June 2023, Nova Scotia established a Section 16.1: <i>Endangered Species Act</i> Agreement on Forest Silviculture, Harvesting and Roads within Bicknell's Thrush federal critical habitat with Port Hawkesbury Paper (PHP). This annually adjusted agreement outlines forest silvicultural and harvest treatments as well as roads construction and maintenance within defined Bicknell's Thrush federal critical habitat based on the state of the science and the

		<p>amount of forest aging in and out of Bicknell's Thrush preferred breeding habitat.</p> <p>Investigation of Bicknell's Thrush breeding activity - As part of this agreement, PHP will continue to collaborate with Natural Resources and Renewables (NRR) to implement an investigation of Bicknell's Thrush breeding activity (presence/absence) within the planned treatment area, using Audio Recording Units which are being deployed a minimum of 3 years beginning in 2021 to: (1) Assess the impact of pre-commercial thinning on Bicknell's Thrush return rate, and/or (2) Investigation of Bicknell's thrush breeding activity, (3) Assess the performance of a species distribution model which NRR has developed.</p>
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**Steps and actions taken related to multiple species, priority places and priority sectors**

CATEGORY	SPECIES	DETAILS
Control of activities likely to result in destruction of critical habitat	Bank Swallow Bicknell's Thrush Blanding's Turtle (Nova Scotia population) Boreal Felt Lichen (Atlantic population) Chimney Swift Eastern Mountain Avens Eastern Ribbonsnake	<p>Nova Scotia reviews land-use applications for Species at Risk through <i>Endangered Species Act</i> Permits, Crown Land applications, Wetland Alteration Permit applications, Mineral Exploration applications and Environmental Assessments. The number of applications for which mitigation was requested or that were rejected during the specified reporting period were as follows:</p> <p>Bank Swallow: 12            Bicknell's Thrush: 6            Blanding's Turtle: 9            Boreal Felt Lichen: 9            Chimney Swift: 8            Eastern Mountain Avens: 3            Eastern Ribbonsnake: 6            Eastern Waterfan: 4            Little Brown Myotis: 30            Northern Myotis: 29            Pink Coreopsis: 2            Piping Plover: 11            Plymouth Gentian: 3            Roseate Tern: 4            Tri-coloured Bat: 29</p>

	<p>(Atlantic population)</p> <p>Eastern Waterfan</p> <p>Little Brown Myotis</p> <p>Northern Myotis</p> <p>Pink Coreopsis</p> <p>Piping Plover, <i>melodus</i> subspecies</p> <p>Plymouth Gentian</p> <p>Roseate Tern</p> <p>Tri-coloured Bat</p> <p>Vole Ears Lichen</p>	<p>Vole Ears Lichen: 2</p> <p>Wood Turtle: 32</p> <p>Nova Scotia has a Critical Habitat Policy that excludes activity within designated critical habitat in the absence of a Special Management Practice. During the reporting period, the Policy was applied for: Blanding's Turtle, Eastern Ribbonsnake, and Boreal Felt Lichen.</p>
<p>Policy</p>	<p>Bank Swallow</p> <p>Bicknell's Thrush</p> <p>Blanding's Turtle (Nova Scotia population)</p> <p>Chimney Swift</p> <p>Eastern Ribbonsnake</p>	<p>The Silvicultural Guide for the Ecological Matrix (SGEM) applies to Acadian Forest on Crown land. New harvest plan proposals conform to practices in this new guide. Training programs have been developed and were delivered to staff, licensees and contractors in Fall 2023; this training included Biodiversity Module Training which covers the identification and protection of species at risk occurrences, dwelling places (e.g., dens, hibernacula), and other sensitive habitats.</p>

	<p>Little Brown Myotis</p> <p>Northern Myotis</p> <p>Tri-coloured Bat</p>	
Protected areas	<p>Blanding's Turtle (Nova Scotia population)</p> <p>Eastern Ribbonsnake</p> <p>Pink Coreopsis</p> <p>Wood Turtle</p>	<p>Given the large proportion of private land in Nova Scotia, land protection measures outside of Crown land by conservation partners is critical. In 2022-23, Nova Scotia Nature Trust conserved areas containing critical habitat as follows: Blanding's Turtle - 16.26 ha (Total - 495.63 ha), Eastern Ribbonsnake - 12.63 ha (Total - 211.28 ha), Pink Coreopsis - 12.70 ha (Total - 43.67 ha), and Wood Turtle - 0.35 ha (Total - 427.73 ha).</p>
Protected areas	<p>Blanding's Turtle (Nova Scotia population)</p> <p>Eastern Ribbonsnake</p> <p>Piping Plover, <i>melodus</i> subspecies</p>	<p>From October 2022 to the end of September 2023, the following provincial Protected Areas that contain critical habitat were designated:</p> <p>Cherry Hill Beach Nature Reserve - Piping Plover (29.16 ha).</p> <p>Pu'tlaqne'katik Wilderness Area/Conservation Easement - Eastern Ribbonsnake (26.01 ha); Blanding's Turtle (30.52 ha).</p> <p>Pu'tlaqne'katik Wilderness Area - Eastern Ribbonsnake (298.30 ha); Blanding's Turtle (1275.89 ha).</p>
Stewardship  Control of activities likely to result in destruction of critical habitat	<p>Bank Swallow</p> <p>Blanding's Turtle (Nova Scotia population)</p>	<p>Within the Kespukwitk/ Southwest Nova Scotia Priority Place for species at risk and through support of the Canada Nature Fund, the Kespukwitk Conservation Collaborative (including Indigenous, academic, non-government organizations, provincial and federal government departments), is working collaboratively toward better outcomes for species at risk. Through this multi-species, ecosystem-based conservation approach in Kespukwitk/</p>

<p>Agreement or easements</p>	<p>Boreal Felt Lichen</p> <p>Eastern Baccharis</p> <p>Eastern Mountain Avens</p> <p>Eastern Ribbonsnake</p> <p>Pink Coreopsis</p> <p>Piping Plover, <i>melodus</i> subspecies</p> <p>Plymouth Gentian</p> <p>Sweet Pepperbush</p> <p>Tall Beakrush</p> <p>Thread-leaved Sundew</p> <p>Vole Ears Lichen</p> <p>Wood Turtle</p>	<p>Southwest Nova Scotia critical habitat for up to 14 species could benefit from priority conservation actions implemented in 2022-23, including:</p> <ul style="list-style-type: none"> <li>• stewardship actions to reduce activities likely to result in destruction of critical habitat for multiple species at risk;</li> <li>• engaging municipalities in conservation-based land use planning to reduce the threat of encroaching development on sensitive ecosystems within municipal jurisdiction, with emphasis on opportunities to protect/ steward critical habitat for species at risk;</li> <li>• 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;</li> <li>• engaging private landowners in the protection and restoration of vegetated buffers along lake shorelines, targeting critical habitat for at risk Atlantic Coastal Plain Flora and reptiles (Blanding’s Turtle, Eastern Ribbonsnake);</li> <li>• beach ambassadors and Beach Pride campaign: In-person engagement and social media outreach for several beaches in the Municipality of the District of Barrington (Piping Plover critical habitat) to reduce activities likely to result in destruction of critical habitat;</li> <li>• establishing and enhancing riparian zones in Wood Turtle critical habitat;</li> <li>• the Nature Conservancy of Canada permanently conserved 607 ha of high biodiversity land, including critical habitat for Boreal Felt Lichen and Vole Ears Lichen;</li> <li>• the Nova Scotia Nature Trust permanently conserved 220.3 ha of high biodiversity land, including 16.2 ha containing critical habitat for Blanding’s Turtle, 12.7 ha for Eastern Ribbonsnake, and &gt;1500m of shoreline for Pink Coreopsis.</li> </ul>
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## 1.10 Newfoundland and Labrador

### Status Summary

In Newfoundland and Labrador, there are 11 species at risk with federally identified critical habitat to which this report relates (see Annex A10). From April 1, 2023, to September 30, 2023, no additional critical habitat was identified 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* (NL ESA) covers 10 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 NL ESA 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 NL 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](#).

There are no Pan-Canadian Approach Priority Places within this province.

The following section highlights the actions taken for species at risk critical habitat protection on non-federal lands within the designated reporting period.

### Steps and actions taken for specific species

CATEGORY	SPECIES	DETAILS
All	Multiple Species	No content on the steps and actions taken for specific species was provided for this reporting period.

### Steps and actions taken related to multiple species and priority sectors

CATEGORY	SPECIES	DETAILS
Stewardship Control of activities likely to result	Barrens Willow Bats	Within the Long Range Biodiversity Community-Nominated Priority Place, several core and supporting partners (including non-profit groups, universities, federal government, provincial government departments, and First Nations) are working on

in destruction of critical habitat	Fernald's Braya  Long's Braya  Piping Plover <i>melodus</i> subspecies	conservation projects that benefit multiple species at risk with critical habitat in their project area.  Examples of actions implemented include: <ul style="list-style-type: none"> <li>• conversations with cabin owners about bat species, to identify roosting sites, reduce fear, and inform about white-nose syndrome and best practices when bats are found;</li> <li>• collaboration with community groups, individuals, municipal government, resource user groups, and ecotourism to promote best practices and reduce pressures in limestone barrens habitats (containing critical habitat for 3 listed plant species at risk);</li> <li>• in collaboration with core partners: in-person outreach on several beaches in southwest Newfoundland (Piping Plover critical habitat) to reduce activities likely to result in destruction of critical habitat.</li> </ul>
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**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 the Yukon, there are two species at risk with federally identified critical habitat to which this report relates (see Annex A11). From April 1, 2023 to September 30, 2023, no additional critical habitat was identified within 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.

Protected areas in the Yukon can prevent some disturbance due to human activity in certain critical habitat, while areas that have not yet been designated may have interim protection

through land withdrawals via land use plans or Yukon First Nation Final Agreements. Moreover, regional land use plans contribute to conservation of species at risk habitat in the Yukon in certain areas. Approved land use plans are implemented through Yukon First Nation Final Agreements and the Yukon Environmental and Socio-economic Assessment 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 on non-federal lands within the designated reporting period.

There is no critical habitat on non-federal land in this Pan-Canadian Approach Priority Place within this territory.

**Steps and actions taken for specific species**

CATEGORY	SPECIES	DETAILS
Range and management planning	Caribou (Boreal population)	Parties to the Peel Plan Implementation Committee moved forward with legally designating landscape management units 11, 12 and 14.

**Steps and actions taken related to multiple species, priority places and priority sectors**

CATEGORY	SPECIES	DETAILS
All	Multiples Species	No new steps and actions were taken for multiples species for this reporting period.

**2.2 Northwest Territories**

**Status Summary**

In Northwest Territories (NWT) there are five species at risk with federally identified critical habitat to which this report relates (see Annex A12). From April 1, 2023 to September 30, 2023, no additional critical habitat was identified within NWT.

The Government of NWT’s primary legislation for protecting species at risk, their *Species at Risk (NWT) Act* (NWT SARA), applies to Caribou (Boreal population), Hairy Braya, Little Brown Myotis, and Peary Caribou. The NWT SARA has the authority to make regulations to protect critical habitat (which, under the NWT SARA Act could be protected as Designated 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*.

In the Northwest Territories, there are four comprehensive land claim agreements, and associated settlement areas: the Inuvialuit, Gwich'in, Sahtu and Tłı̨chǫ. Within these areas, wildlife and land management, is coordinated through designated Indigenous organizations and/or wildlife management boards under these agreements.

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](#).

There are no Pan-Canadian Approach Priority Place within this territory.

The following section highlights the actions taken for species at risk critical habitat protection on non-federal lands within the designated reporting period.

**Steps and actions taken for specific species**

CATEGORY	SPECIES	DETAILS
Legislative or Regulatory	Caribou (Boreal population)	In August 2023, the listing of boreal caribou as a Threatened species under the <i>Species at Risk Act (NWT)</i> was extended for another 10 years. This step supports the continued implementation of the conservation actions recommended in the <a href="#">Recovery Strategy for the Boreal Caribou in the NWT</a> .
Agreements or Easements	Caribou (Boreal population)	The interim Wek'èezhìi Boreal Caribou Range Plan is being implemented. Work to support the development of the final Wek'èezhìi, Gwich'in, Inuvialuit, Sahtú and Southern NWT boreal caribou range plans continues. New Gwich'in traditional knowledge and habitat classification studies have been completed by the Gwich'in Tribal Council and have been shared with ECCC.
Legislative or Regulatory	Hairy Braya	Critical habitat for Hairy Braya is entirely within the Inuvialuit Settlement Region (ISR), on Inuvialuit private land, on Cape Bathurst Peninsula and Baillie Island. Cape Bathurst Peninsula and Baillie Island are part of the "Cape Bathurst selection" of Inuvialuit lands under section 7(1)(a)(ii) of the Inuvialuit Final Agreement (IFA) and described in Annex D of the IFA. These lands are managed by the Inuvialuit Land Administration (ILA), a branch of the Inuvialuit Regional Corporation.

		<p>Any development activities in this area would require a permit from the Inuvialuit Land Administration which typically requires the approval of the relevant hunters and trappers committees before approving project proposals and permits. Activities would additionally be subject to screening and/or review by the Environmental Impact Screening Committee (EISC) and the Environmental Impact Review Board (EIRB) before proceeding. The Inuvialuit have developed Community Conservation Plans for the conservation and management of natural resources and lands within the ISR. Community Conservation Plans are considered by the ILA, EISC, EIRB, and other parties in deciding whether to allow activities. Developers are also required to engage and consult with Inuvialuit organizations, co-management organizations, and government agencies before and during the screening process.</p> <p>In addition, section 8(6) of the IFA states that any new subsurface development (e.g., mining, oil and gas, quarrying, etc.) with respect to the Cape Bathurst selection, would not be allowed in this area without the Government of Canada’s approval.</p>
Legislative or Regulatory	Bank Swallow	<p>In the NWT, Bank Swallow critical habitat is located entirely within the Gwich’in Settlement Area (GSA). Applications for land and water activities in the Gwich’in Settlement Area must be in conformity with the Nành' Geenjit Gwitr'it T'igwaa'in (Working for the Land), the Gwich'in Land Use Plan (2003).</p> <p>Approximately 80% (~100 km<sup>2</sup>) of the areas containing Bank Swallow critical habitat is located in Special Management Zones. Regulatory agencies may not issue a licence, permit, or authorization in these zones unless the proposed activity is in conformity with the Gwich’in Land Use Plan. Almost 6% (~7.1 km<sup>2</sup>) of the areas containing Bank Swallow critical habitat is located within Gwich’in Territorial Park, which is designated as a Territorial Recreation Park under the <i>Territorial Parks Act</i>. The area has surface protection and is subject to the Territorial Parks Regulations. Natural features may not be damaged or destroyed and permits are required for most activities.</p> <p>The NWT <i>Wildlife Act</i> supports protection for occupied bank swallow nests. Under section 51(1) of the <i>Wildlife Act</i>, it is</p>

		prohibited to destroy, disturb or take the nest of a bird when the nest is occupied by a bird or its egg, unless you have an Aboriginal or treaty right or a licence or permit to do so.
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### **Steps and actions taken related to multiple species and priority sectors**

<b>CATEGORY</b>	<b>SPECIES</b>	<b>DETAILS</b>
All	Multiples Species	No new steps and actions were taken for multiples species for this reporting period.

## **2.3 Nunavut**

### **Status Summary**

In Nunavut, there are four<sup>12</sup> species at risk with federally identified critical habitat to which this report relates (see Annex A13). From April 1, 2023 to September 30, 2023, no additional critical habitat was identified 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.

In addition, the Nunavut Planning Commission (NPC) leads the development of the Nunavut Land Use Plan (NLUP), an obligation under the Nunavut Agreement. Through its provisions, the NLUP is another legislative tool that could support the protection of critical habitat if the three approving Parties (Government of Canada, Government of Nunavut and Nunavut Tunngavik Incorporated) came to agreement. In July 2021, NPC released a new version of the draft NLUP.

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\*](#).

There is no Pan-Canadian Approach Priority Place within this territory.

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<sup>12</sup> Not previously reported, although it did not occur within this reporting period, Porsild's Bryum was added to the Annex A13 following the identification of critical habitat on federal land.

The following section highlights the actions taken for species at risk critical habitat protection on non-federal lands within the designated reporting period.

**Steps and actions taken for specific species**

<b>CATEGORY</b>	<b>SPECIES</b>	<b>DETAILS</b>
All	Multiple Species	No new steps and actions were taken for specific species for this reporting period.

**Steps and actions taken related to multiple species and priority sectors**

<b>CATEGORY</b>	<b>SPECIES</b>	<b>DETAILS</b>
All	Multiples Species	No new steps and actions were taken for multiples species for this reporting period.

### 3 OTHER COLLABORATIVE AND FEDERAL PROTECTION OF CRITICAL HABITAT

**Other collaborative efforts for steps and actions related to multiple species.**

CATEGORY	SPECIES	DETAILS
Stewardship	Multiple species	<p>Aboriginal Fund for Species at Risk (AFSAR)</p> <p>In 2022-2023, the Aboriginal Fund for Species at Risk allocated \$2.3 million in funding to 57 new and existing projects that directly or indirectly benefit the critical habitat of multiple species. Conservation actions supported include but are not limited to:</p> <ul style="list-style-type: none"> <li>• community outreach and education through events, presentations and social media to increase awareness on the importance of species at risk;</li> <li>• field surveys and inventories for species at risk and species at risk habitat (including critical habitat) to address knowledge gaps on population distribution and habitat in understudied areas to help inform future management and conservation decisions;</li> <li>• development of local conservation and management plans that will enable habitat protection and stewardship measures to take place;</li> <li>• habitat protection activities including conservation of species at risk nests and other important habitat for species at risk;</li> <li>• collecting and sharing of Indigenous Knowledge through interviews with Elders and knowledge holders to help build internal capacity;</li> <li>• threat reduction including invasive species management, monitoring for any presence of wildlife diseases, establishing buffers around development and resource extraction, and installation of wildlife warning signs and barrier fencing at road mortality hotspots; and</li> <li>• habitat restoration and improvement activities that include wetland creation, native seed plantings, and community pollinator gardens.</li> </ul>
Stewardship	Waterflow and wetland dependent species	<p>North American Waterfowl Management Plan (NAWMP) - Habitat</p> <p>In 2022-2023, over \$195 million was invested in support of the NAWMP in Canada in wetland and waterfowl</p>

		<p>conservation, which may directly or indirectly benefit the critical habitat of multiple species. Conservation actions supported include but are not limited to:</p> <ul style="list-style-type: none"> <li>• securement, restoration and enhancement of wetlands and associated uplands;</li> <li>• conservation/action planning for NAWMP implementation;</li> <li>• coordination, communication, policy, and compensatory mitigation; and</li> <li>• waterfowl banding, surveys, research, observation and management.</li> </ul>
Stewardship	Multiple species	<p>Natural Heritage Conservation Program (NHCP)</p> <p>In 2022-2023 through the Canada Nature Fund, \$25 million was invested in the NHCP resulting in approximately 97,500 ha of ecologically sensitive lands conserved. The 53 projects in key conservation areas may directly or indirectly benefit multiple species.</p> <p>Since the beginning of the program in 2019, 122 species at risk have been identified on the properties secured, including two species at risk that are not currently elsewhere.</p>
Stewardship	Multiple species	<p>Ecological Gifts Program (EGP)</p> <p>In 2022-2023 through Canada’s Ecological Gifts Program, more than \$91 million worth of ecologically sensitive private land was secured, resulting in nearly 9,000 ha conserved. The 108 ecological gifts are all private lands and many directly or indirectly benefit species at risk.</p> <p>Since the beginning of the program in 1995, more than 241,000 ha of ecologically sensitive land in southern Canada have been conserved, conserving habitat for many species at risk.</p>
Stewardship	Multiple Species	<p>Indigenous Partnerships Initiatives (IPI)</p> <p>In 2022-2023 the Indigenous Partnerships Initiatives allocated \$6,043,417 in funding to 25 new projects that may directly or indirectly benefit the critical habitat of multiple</p>

		<p>species. Conservation actions supported include but are not limited to:</p> <ul style="list-style-type: none"> <li>• conservation and recovery of species at risk, culturally significant species, and their habitats;</li> <li>• conservation/action planning for species at risk informed by Indigenous knowledge;</li> <li>• surveys, inventories, and monitoring of species at risk; and</li> <li>• documentation and GIS mapping of Indigenous knowledge of boreal caribou herds and their habitat.</li> </ul>
Stewardship	Multiple species	<p>Habitat Stewardship Program (HSP)</p> <p>In 2023-2024, the HSP will allocate over \$5.6 million in funding to 107 projects that may directly or indirectly benefit the critical habitat of species at risk. Conservation actions supported include but are not limited to:</p> <ul style="list-style-type: none"> <li>• surveys, inventories and monitoring for invasive species and species at risk to inform conservation planning and land management;</li> <li>• habitat improvement through invasive species management, understory thinning, prescribed burns, and the restoration of riparian, wetland and tallgrass prairie habitat;</li> <li>• community outreach and education related to species at risk habitat stewardship through events, presentations and social media;</li> <li>• fostering public relations including educating landowners on habitat Best Management Practices by sharing resources and through face-to-face meetings, presentations and workshops;</li> <li>• habitat conservation, including conservation of species at risk nests;</li> <li>• threat abatement including road mortality mitigation through the installation of wildlife warning signs, exclusion fencing and terrestrial eco-passages;</li> <li>• conservation planning including the development of seeding and planting strategies and overall property management;</li> <li>• installation of nest/roosting boxes;</li> <li>• habitat conservation through fee simple land securement.</li> </ul>

Stewardship	Multiple species	<p>Critical Habitat Interdepartmental Program (CHIP)</p> <p>From April 2022 to March 2023, the CHIP contributed \$585,792 in funding to 13 projects lead by seven federal departments and two Crown corporations. Participating federal departments and Crown corporations, alongside their multiple partners, contributed \$556,629 in leveraged funds (cash and in-kind). The CHIP’s species at risk recovery and critical habitat conservation projects targeted 48 species at risk listed as endangered or threatened under Schedule 1 of SARA, 36 of which are CHIP Priority Species. The CHIP successfully implemented the addition of the Other Internally Prioritized Species (OIPS) project type, funding two additional projects targeting 4 OIPS for which species-specific targeted recovery actions were completed.</p> <p>The CHIP projects contributed to the following initiatives:</p> <ul style="list-style-type: none"> <li>• critical habitat identification through surveys;</li> <li>• critical habitat restoration through the removal of invasive species;</li> <li>• establishment and maintenance of a field species at risk seed bank;</li> <li>• species at risk population surveys;</li> <li>• native species reintroduction and monitoring;</li> <li>• community outreach; and</li> <li>• research to increase scientific knowledge pertaining to species at risk and their critical habitat.</li> </ul>
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#### 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, National Parks, and Rouge National Urban Park). 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. In addition to regulatory tools mentioned above, ECCC also takes a stewardship approach to support critical habitat protection on federal lands. The Critical Habitat Interdepartmental Program (CHIP), established in 2020, is managed by the Canadian Wildlife Service (CWS) of ECCC. This program provides funding to federal departments, agencies, and Crown corporations for projects aimed at the recovery of Canada's species at risk through the restoration and conservation of their critical habitat on federally owned or administered lands.

PC administers more than 464,000 km<sup>2</sup> of lands and waters in Canada and protects species at risk in these places. In addition to implementing SARA, PC has a range of legislative tools that protect species at risk and their critical habitat. For example, in national parks, PC uses the *Canada National Parks Act* and other legislation like the *Impact Assessment Act* and their associated regulations to provide special protection to species at risk through mechanisms like zoning, designation of “Environmentally Sensitive Areas” and seasonal closures. Ecological integrity is the first priority in managing national parks which includes the protection of species at risk and their critical habitat.

The following section summarizes the actions and measures taken by both ECCC and PC for the protection of critical habitat for terrestrial species at risk. This section includes information for the reporting period of April 2023 to September 2023.

**Steps and actions taken for specific species**

<b>CATEGORY</b>	<b>SPECIES</b>	<b>DETAILS</b>
SARA SS.58(2) Description in the <i>Canada Gazette</i>  (Legislative or Regulatory)	Bank Swallow  Marbled Murrelet	During this reporting period, ECCC led the completion of two descriptions of critical habitat in federally protected areas for Bank Swallow and Marbled Murrelet published in the <i>Canada Gazette, Part I</i> .

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

**A1 – Species with critical habitat identified in British Columbia**

Audouin’s Night-stalking Tiger Beetle	Nugget Moss
Bank Swallow	Okanagan Efferia
Barn Owl, Western population	Olive Clubtail
Batwing Vinyl Lichen	Oregon Forestsnail
Bear’s-foot Sanicle	Oregon Spotted Frog
Bearded Owl-clover	Pacific Water Shrew
Behr’s 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
Caribou (Boreal population)	Rayless Goldfields
Cliff Paintbrush	Rigid Aple Moss
Coast Microseris	Rocky Mountain Tailed Frog
Coastal Giant Salamander	Roell's Brotherella Moss
Coastal Scouler’s Catchfly	Rosy Owl-clover
Coastal Vesper Sparrow	Rusty Cord-moss
Contorted-pod Evening-primrose	Sage Thrasher
Crumpled Tarpaper Lichen	Sand-verbena Moth
Deltoid Balsamroot	Scarlett Ammannia
Dense-flowered Lupine	Seaside Birds-foot Lotus**
Dense Spike-primrose	Seaside Bone Lichen
Desert Nightsnake	Seaside Centipede Lichen**
Dromedary Jumping-slug	Sharp-tailed Snake
Dun Skipper, <i>vestris</i> subspecies	Short-rayed Alkali Aster
Dwarf Sandwort**	Showy Phlox
Dwarf Woolly-heads (Southern Mountain population)	Slender Collomia
Edwards’ Beach Moth	Slender Popcornflower
Foothill Sedge	Small-flowered Lipocarpha
Fragrant Popcornflower	Small-flowered Tonella
Golden Paintbrush	Smooth Goosefoot
Grand Coulee Owl-clover	Southern Maidenhair Fern
Gray’s Desert-parsley	Spalding’s Champion
Great Basin Gophersnake	Spotted Owl, <i>caurina</i> subspecies
	Stoloniferous Pussytoes

Great Basin Spadefoot	Streambank Lupine
Half-moon Hairstreak	Tall Bugbane
Haller's Apple Moss	Tall Woolly-heads
Howell's Triteleia	Taylor's Checkerspot
Kellogg's Rush	Toothcup (Southern Mountain population)
Lemmon's Holly Fern	Townsend's Mole
Lewis's Woodpecker	Vancouver Island Marmot
Lindley's False Silverpuffs	Victoria's Owl-clover
Little Brown Myotis	Water-plantain Buttercup
Macoun's Meadowfoam	Western Painted Turtle (Pacific Coast population)
Marbled Murrelet	Western Rattlesnake
Mexican Mosquito-fern	Western Tiger Salamander (Southern Mountain population)
Mormon Metalmark (Southern Mountain population)	White Meconella
Mountain Holly Fern	Williamson's Sapsucker
Muhlenberg's Centaury	Woodland Caribou (Southern Mountain population)
Northern Goshawk, <i>laingi</i> subspecies	Yellow-breasted Chat, <i>auricollis</i> subspecies (Southern Mountain population)
Northern Leopard Frog (Rocky Mountain population)	Yellow Montane Violet, <i>praemorsa</i> subspecies
Northern Myotis	
Northern Saw-whet Owl, <i>brooksi</i> subspecies	

\*\*Species with critical habitat identified only on federal lands.

## A2 – Species with critical habitat identified in Alberta

Banff Springs Snail**	Piping Plover, <i>circumcinctus</i> subspecies*
Bank Swallow	Porsild's Bryum*
Bolander's Quillwort**	Red Knot, <i>rufa</i> subspecies (Tierra del Fuego/Patagonia population)
Caribou (Boreal population)*	Slender Mouse-ear-cress*
Dusky Dune Moth	Small-flowered Sand-verbena*
Five-spotted Bogus Yucca Moth	Smooth Goosefoot
Gold-edged Gem	Soapweed*
Greater Sage-Grouse, <i>urophasianus</i> subspecies*	Tiny Cryptantha*
Little Brown Myotis*	Western Harvest Mouse <i>dychei</i> subspecies**
Loggerhead Shrike, Prairie subspecies	Western Spiderwort*
Non-pollinating Yucca Moth	Woodland Caribou (Southern Mountain population)*
Northern Myotis*	Yucca Moth
Ord's Kangaroo Rat*	

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

\*\*Species with critical habitat identified only on federal lands.

### A3 – Species with critical habitat identified in Saskatchewan

Bank Swallow	Mountain Plover
Black-footed Ferret*	Piping Plover, <i>circumcinctus</i> subspecies*
Burrowing Owl*	Red-headed Woodpecker
Caribou (Boreal population)	Red Knot, <i>rufa</i> subspecies (Tierra del Fuego/Patagonia population)
Chimney Swift	Slender Mouse-ear-creep*
Chestnut-collared Longspur	Small-flowered Sand-verbena*
Dusky Dune Moth	Smooth Goosefoot
Eastern Yellow-bellied Racer	Sprague’s Pipit
Gold-edged Gem	Swift Fox*
Greater Sage-Grouse, <i>urophasianus</i> subspecies*	Tiny Cryptantha*
Loggerhead Shrike, Prairie subspecies	Western Spiderwort*

\* 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 in Manitoba

Bank Swallow	Piping Plover, <i>circumcinctus</i> subspecies
Caribou (Boreal population)*	Poweshiek Skipperling*
Chimney Swift*	Red-headed Woodpecker*
Dusky Dune Moth*	Red Knot, <i>rufa</i> subspecies (Tierra del Fuego/Patagonia population)*
Eastern Whip-poor-will*	Rough Agalinis*
Fasciated Ironweed*	Small White Lady's-slipper*
Gattinger's Agalinis*	Smooth Goosefoot*
Gold-edged Gem*	Western Prairie Fringed Orchid*
Golden-winged Warbler*	Western Silvery Aster*
Least Bittern*	Western Spiderwort*
Little Brown Myotis*	White Flower Moth*
Northern Myotis*	

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

### A5 – Species with critical habitat identified in Ontario

Acadian Flycatcher*	Jefferson Salamander*
Allegheny Mountain Dusky Salamander (Carolinian population)*	Juniper Sedge*
American Badger, <i>jacksoni</i> subspecies*	Kentucky Coffee-tree*
American Chestnut*	Kirtland’s Warbler**
American Columbo*	Lakeside Daisy
	Large Whorled Pogonia*

American Ginseng*	Least Bittern*
American Water-willow*	Little Brown Myotis*
Bank Swallow*	Loggerhead Shrike, Eastern subspecies*
Bashful Bulrush*	Massasauga (Carolinian population)*
Bent Spike-rush (Great Lakes Plains population)*	Massasauga (Great Lakes / St. Lawrence population)*
Bird's-foot Violet*	Nodding Pogonia*
Blanding's Turtle (Great Lakes / St. Lawrence population)*	Northern Barrens Tiger Beetle*
Bluehearts*	Northern Dusky Salamander (Carolinian population)*
Blue Racer*	Northern Myotis*
Blunt-lobed Woodsia*	Pale-bellied Frost Lichen*
Bogbean Buckmoth*	Pink Milkwort*
Branched Bartonia*	Piping Plover, <i>circumcinctus</i> subspecies*
Butler's Gartersnake*	Prothonotary Warbler*
Caribou (Boreal population)*	Purple Twayblade*
Cerulean Warbler*	Queensnake*
Cherry Birch*	Rapids Clubtail*
Chimney Swift*	Red-headed Woodpecker*
Colicroot*	Red Knot, <i>rufa</i> subspecies (Tierra del Fuego/Patagonia population)*
Cucumber Tree*	Red Mulberry*
Deerberry*	Riverine Clubtail (Great Lakes Plains population)*
Dense Blazing Star*	Round-leaved Greenbrier (Great Lakes Plains population)*
Drooping Trillium*	Rusty-patched Bumble Bee*
Dwarf Hackberry*	Scarlett Ammannia*
Eastern Flowering Dogwood*	Showy Goldenrod (Boreal population)*
Eastern Foxsnake (Carolinian population)*	Slender Bush-clover*
Eastern Foxsnake (Great Lakes / St. Lawrence population)*	Small-flowered Lipocarpha*
Eastern Prairie Fringed Orchid*	Small-mouthed Salamander*
Eastern Prickly Pear Cactus*	Small White Lady's-slipper*
Eastern Whip-poor-will*	Small Whorled Pogonia*
Engelmann's Quillwort*	Spiny Softshell*
False Hop Sedge*	Spoon-leaved Moss*
False Rue-anemone*	Spotted Turtle*
Five-lined Skink (Carolinian population)*	Spotted Wintergreen*
Forked Three-awned Grass*	Toothcup (Great Lakes Plains population)*
Fowler's Toad*	Tri-coloured Bat*
Gattinger's Agalinis*	
Golden-winged Warbler	

Gray Ratsnake (Carolinian population)*	Virginia Goat's-rue*
Gray Ratsnake (Great Lakes / St. Lawrence population)*	Virginia Mallow*
Grey Fox*	Western Chorus Frog (Great Lakes / St. Lawrence - Canadian Shield population)
Heart-leaved Plantain*	Western Silvery Aster*
Hill's Thistle*	White Wood Aster*
Hine's Emerald*	Wild Hyacinth*
Hoary Mountain-mint*	Willowleaf Aster*
Hoptree Borer*	Wood-poppy*
Horsetail Spike-rush**	Wood Turtle*
Hungerford's Crawling Water Beetle*	Yellow-breasted Chat, <i>virens</i> subspecies*

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

\*\*Species with critical habitat identified only on federal lands.

#### A6 – Species with critical habitat identified in Quebec

Allegheny Mountain Dusky Salamander (Appalachian population)*	Least Bittern*
American Gingseng*	Little Brown Myotis
American Water-willow*	Maritime Ringlet*
Bank Swallow	Mountain Holly Fern*
Bicknell's Thrush*	Northern Barrens Tiger Beetle*
Blanding's Turtle (Great Lakes / St. Lawrence population)*	Northern Myotis
Blunt-lobed Woodsia*	Piping Plover, <i>melodus</i> subspecies*
Caribou (Atlantic-Gaspésie population)*	Purple Twayblade*
Caribou (Boreal population)*	Red-headed Woodpecker*
Cerulean Warbler*	Red Knot, <i>rufa</i> subspecies (Tierra del Fuego/Patagonia population)*
Chimney Swift*	Roseate Tern*
Eastern Waterfan	Skillet Clubtail*
Eastern Whip-poor-will*	Spiny Softshell*
False Hop Sedge*	Tri-coloured Bat*
Forked Three-awned Grass*	Van Brunt's Jacob's-ladder*
Golden-winged Warbler*	Victorin's Gentian*
Green-scaled Willow*	Western Chorus frog (Great Lakes St. Lawrence - Canadian Shield population)*
Gulf of St. Lawrence Aster*	White Wood Aster*
Horned Grebe (Magdalen Islands 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 in New Brunswick**

Bank Swallow*	Little Brown Myotis*
Bicknell’s Thrush	Maritime Ringlet*
Chimney Swift*	Northern Myotis*
Cobblestone Tiger Beetle*	Piping Plover, <i>melodus</i> subspecies*
Eastern Waterfan	Skillet Clubtail*
Eastern Whip-poor-will	Tri-coloured Bat*
Furbish's Lousewort*	Van Brunt’s Jacob’s-ladder
Gulf of St. Lawrence Aster*	Wood Turtle
Least Bittern	

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

**A8 – Species with critical habitat identified in Prince Edward Island**

Bank Swallow	Little Brown Myotis**
Chimney Swift	Northern Myotis**
Gulf of St. Lawrence Aster**	Piping Plover, <i>melodus</i> subspecies

\*\*Species with critical habitat identified only on federal lands.

**A9 – Species with critical habitat identified in Nova Scotia**

Bank Swallow*	Pink Coreopsis*
Bicknell’s Thrush*	Piping Plover, <i>melodus</i> subspecies*
Blanding's Turtle (Nova Scotia population)*	Plymouth Gentian*
Boreal Felt Lichen (Atlantic population)*	Roseate Tern*
Chimney Swift*	Sable Island Sweat Bee**
Eastern Baccharis*	Sweet Pepperbush
Eastern Mountain Avens*	Tall Beakrush*
Eastern Ribbonsnake (Atlantic population)*	Thread-leaved Sundew*
Eastern Waterfan*	Tri-coloured Bat*
Little Brown Myotis*	Vole Ears lichen*
Northern Myotis*	Wood Turtle*

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

\*\*Species with critical habitat identified only on federal lands.



**A10 – Species with critical habitat identified in Newfoundland and Labrador**

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

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

**A11 – Species with critical habitat identified in Yukon**

Bank Swallow	Caribou (Boreal population)
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**A12 – Species with critical habitat identified in the Northwest Territories**

Bank Swallow	Little Brown Myotis*
Caribou (Boreal population)*	Peary Caribou**
Hairy Braya*	Whooping Crane**

\*Species territorially listed under the Northwest Territories *Species at Risk (NWT) Act*.

\*\*Species with critical habitat identified only on federal lands.

**A13 – Species with critical habitat identified in the Nunavut**

Ivory Gull	Red Knot, <i>rufa</i> subspecies (Tierra del Fuego/Patagonia population)
Peary Caribou**	
Porsild’s Bryum**	

\*\*Species with critical habitat identified only on federal lands.