



19 March 2024

Canadian Wildlife Service  
Environment and Climate Change Canada  
4905 Dufferin Street  
Downsview ON M3H 5T4

Dear Municipality,

We are writing to request your support in raising awareness of legal requirements under the federal *Species at Risk Act* (SARA) for the protection of Chimney Swift and its habitat.

The Chimney Swift is a threatened migratory bird that consumes flying insects and plays an important role in managing insect populations. Chimney Swifts typically nest and roost in chimneys with interior walls constructed of stone, brick, cement, concrete or tile, but can occasionally be other vertical structures such as barns, silos, woodsheds, artificial towers or abandoned buildings. A description of the species' residence is attached and is available online here: <https://species-registry.canada.ca/index-en.html#/documents/667>. Publicly available bird survey data indicate that Chimney Swifts nest and roost within your municipal boundaries.

Environment and Climate Change Canada understands that chimneys and other structures used by Chimney Swift require periodic maintenance or may need to be removed for health and safety reasons or as part of development projects. **Given that redevelopment or other major projects will require a municipal building permit, your staff may be well-positioned to notify those project proponents of potential for Chimney Swift to be present and the legal obligations under SARA when projects involving the alteration or removal of chimneys (or similar structures) are brought forward in building permit applications.** Often, landowners are not aware that a chimney on their property may be used by Chimney Swift and that their project may have the potential to impact this species. Environment and Climate Change Canada's Canadian Wildlife Service can provide assistance in determining what, if any, regulatory requirements exist under SARA.

The Chimney Swift is listed as Threatened under both SARA and Ontario's provincial *Endangered Species Act*. Under SARA, the Minister of Environment and Climate Change Canada (ECCC) is required to develop a recovery strategy for Threatened and Endangered species, to help guide the actions needed to stop or reverse their decline. The final *Recovery Strategy for the Chimney Swift in Canada* provides information about the species, identifies major threats to the species and its habitat, and recommends strategies to conserve and recover the species. It is available on the Species at Risk Public Registry: <https://species-registry.canada.ca/index-en.html#/consultations/2971>.

The federal SARA contains measures for the protection and recovery of species at risk in Canada. It contains prohibitions against the killing, harming, harassing, capturing, taking, possessing, collecting, buying, selling or trading of individuals of endangered, threatened and extirpated species listed on

Schedule 1 of the Act (s.32). The Act also contains a prohibition against the damage or destruction of their residences (i.e., dwelling place) (s.33). The federal *Migratory Birds Convention Act* (MBCA) also protects the Chimney Swift, their nests, and eggs. The protections under SARA and the MBCA apply wherever migratory birds are found in Canada. Provincial protections and restrictions also apply.

The Questions & Answers document provides more information on the Chimney Swift and what can be done to help its recovery for your information: <https://www.canada.ca/en/environment-climate-change/services/species-risk-public-registry/related-information/questions-answers-conservation-chimney-swift.html>.

We would appreciate if you could direct proponents that will be undertaking activities that can affect this species and their habitat to the following website: <https://www.canada.ca/en/environment-climate-change/services/species-risk-public-registry/related-information/chimney-swift-conservation-permitting.html>. Likewise, proponents can contact ECCC-CWS at [wildlifeontario@ec.gc.ca](mailto:wildlifeontario@ec.gc.ca) for advice about SARA permitting. In addition to federal requirements, there may also be provincial requirements. Proponents can contact the Ministry of the Environment, Conservation and Parks (MECP) for more information: [SAROntario@ontario.ca](mailto:SAROntario@ontario.ca).

Thank you for your support in helping to recover this species. If you have any questions regarding this request, please contact [SpeciesAtRisk.Ontario@ec.gc.ca](mailto:SpeciesAtRisk.Ontario@ec.gc.ca) to arrange for a discussion.

Sincerely,

Canadian Wildlife Service – Ontario Region  
Environment and Climate Change Canada

**Attached:**

- Description of Residence for the Chimney Swift (*Chaetura pelagica*) in Canada