



Submission to the Nunavut Wildlife Management Board

For

Information: X

Decision:

Issue: Policy on Agreements and Permits Under Section 73 and 74 of the SARA

Background:

- Environment and Climate Change Canada (ECCC), Department of Fisheries and Oceans, and Parks Canada Agency are proposing an updated policy for Agreements and Permits issued under sections 73 and 74 of the Species at Risk Act (SARA).
- In certain scenarios, the minister may enter into an agreement or issue a permit that allows someone to engage in an activity that may affect a listed wildlife species, any part of its critical habitat, or the residence of the species that would otherwise violate SARA prohibitions.
- Permits apply in cases where there are SARA prohibitions or protected critical habitat. In Nunavut, SARA prohibitions only apply on ECCC and Parks Canada land and to date, Critical Habitat has only been protected on these lands. Further details about agreement and permit applicability are available in Appendix A.
- Activities that are eligible for a permit include:
 - An activity that is scientific research relating to the conservation of the species and conducted by qualified people; or
 - An activity that benefits the species or is required to enhance its chance of survival in the wild; or
 - An activity in which affecting the species is incidental to the carrying out of the activity
- If the species that may be affected is found in an area in which a wildlife management board (WMB) is authorized by a land claim agreement to perform functions, the minister must consult with the board before entering into an agreement or issuing a permit for a species in that area.

Updated Policy:

- This updated policy does not result in a functional change to the permitting process or create new obligations or prohibitions. It is intended to increase clarity and consistency for permit applicants and department officials regarding the application and review process.
- It does so by providing guidance on the following items:
 - Roles and responsibilities of applicants and department officials,
 - Activities that are eligible as per section 73(2),
 - Pre-conditions outlined in section 73(3),
 - Consultation requirements,
 - Anticipated timelines,
 - Terms and conditions, and
 - Coordination among other legislation and regulations.
- Clarification of roles relevant to WMBs:
 - WMBs will be consulted by department officials if the proposed activity affects a listed species, its critical habitat, or the residence that it is found in overlaps with where the WMB performs its functions.
 - During consultations, department officials will provide the WMB with the following information:
 - Comprehensive description of the proposed activity
 - List of species that may be affected
 - Description of the potential impacts of the proposed activity to the species, its critical habitat, or the residences, and
 - A comprehensive description of the proposed mitigation measures to minimize the impact
 - WMBs will be invited to provide information that will be considered in making a decision on the application.
 - The permitting process timeline may be extended beyond the 90-day timeframe to allow for consultations with WMBs

Engagement:

- Early engagement with Wildlife Management Boards, Regional Wildlife Organizations, Inuit Organizations, and Hunting and Trapping Organizations/Associations is underway.
- Early engagement involves email notification to all contacts about the proposed change, inviting input, and offering presentations.
- 30-day general public consultation period during Fall 2026 (specific dates to be determined)
- Input can be provided during early engagement or the general public consultation period.

Prepared by: Canadian Wildlife Service, Northern Region

Date: Sept. 4, 2026

Appendix A – Permit and Agreement Applicability in Nunavut

Permits, and subsequently this updated policy, apply when an application is received for an agreement or permit to authorize an activity that:

- Affects individuals or residences of individuals of a listed species that:
 - occur on ECCC or Parks Canada lands; or
 - are an aquatic species wherever they are found; or
 - are a migratory bird protected by the Migratory Birds Convention Act (MBCA), wherever they are found; or
- Affects critical habitat that is protected (e.g., protected by a protection order, Canada Gazette description or regulation)
- Is prohibited by an emergency order pursuant to section 80 to protect the species or its habitat; or,
 - No emergency orders are currently in place in Nunavut