



Submission to the Nunavut Wildlife Management Board For

Information: X

Decision:

Issue: Proposed Critical Habitat Protection Regulations under Section 59 of the Species at Risk Act

Background:

- When a wildlife species is listed as threatened, endangered or extirpated, the *Species at Risk Act* (SARA) requires that Critical Habitat is identified to the extent possible in either a Recovery Strategy or Action Plan.
- Critical Habitat is defined as habitat that is necessary for the survival or recovery of a listed wildlife species.
- Identifying Critical Habitat does not alone prevent damage or destruction, a second step is needed to provide legal protection to the habitat that has been identified.
- One of the tools used to protect Critical Habitat is a federal Protection Order (section 58 of SARA). These orders are made on a species-by-species basis and can take multiple years to complete because of the administrative requirements.
- Under this process, consultation with Wildlife Management Boards and Indigenous partners for Critical Habitat occurs two times, once for the identification of Critical Habitat when the Recovery Strategy or Action Plan is developed and again for the Protection Order.

Proposed Regulations

- Environment and Climate Change Canada (ECCC) and Parks Canada are proposing new Critical Habitat Protection Regulations (CHPR) that automate the protection of Critical Habitat that has been identified in a Recovery Strategy or Action Plan. Protection would take effect 180 days after the Recovery Strategy or Action Plan is posted as final on the SAR Registry (section 59 of SARA).

- The automatic protection of Critical Habitat would apply only on federal lands and excludes devolved territorial lands.
- Protection on devolved lands would be done so using other regulatory tools or agreements in consultation with Wildlife Management Boards, Indigenous partners, and Territorial Governments, as appropriate.
- Under this new process, consultations with Wildlife Management Boards and Indigenous partners for the identification and protection of Critical Habitat will occur at the same time. This will occur during the development and finalizing of a recovery document. A decision for support of the Recovery Strategy and the Critical Habitat identified inside, will be requested from NWMB after the public comment period.
- This proposed change will protect Critical Habitat on federal lands faster because of fewer administrative steps and combined consultations. As a result, species will be protected more efficiently.
- This proposed change would apply to Critical Habitat that is identified after this regulation comes into effect. Critical Habitat that has been identified previously on federal land but has not yet been protected through a federal order, will undergo consultations before it is protected.

Engagement:

- Engagement material distributed through email included a summary of the proposed change, links to the Discussion Paper, and Notice of Intent. (July 23/24, 2026)
 - GN, NWMB, NTI, Regional Wildlife Organizations, Regional Inuit Associations, HTO/HTAs
- Engagement period took place from July 18 – Sept 16, 2026
 - No comments have been received as of the date this briefing note was prepared/submitted (Sept 18)
 - Comments from wildlife management boards will be accepted beyond Sept 16th, as needed

Prepared by: Canadian Wildlife Service, Northern Region

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