

Changes to Streamline Natural Resource Permits: Fish and Wildlife Modernization

Proposal Details

August 2026

Introduction

As part of its plan to protect Ontario and build the most competitive economy in the G7, the Ontario government is proposing changes to modernize and streamline natural resource permits, allowing mining and infrastructure projects to move forward faster and with greater certainty. These proposals, focused on low-risk and routine activities, would reduce administrative requirements for hundreds of natural resource permits annually and shorten approval timelines, all while continuing to safeguard public health and safety and sustainably manage natural resources. We are proposing changes to a number of approvals issued under the *Fish and Wildlife Conservation Act, 1997* (FWCA), to better support economic development, burden reduction and service delivery. Please see the following additional details for each of the seven proposals.

1. Collecting fish for scientific and educational purposes

Section 34.1 of O. Reg. 664/98 (Fish Licensing) under the FWCA enables the Minister of the Ministry of Natural Resources (MNR or ministry) to issue a Licence to Collect Fish for Scientific Purposes (LCFSP), which allows the collection and transport of fish.

The LCFSP is issued to researchers conducting scientific research, consultants and agencies conducting monitoring of fish populations, industry and municipalities conducting infrastructure work, and for other uses where the collection of fish is necessary. It is proposed that this licence would be renamed as a Licence to Collect Fish to better reflect the use of the licence.

Currently, there are two special classes of the LCFSP that allow approvals through an expedited process. The two special classes are:

- A licence to collect fish for stormwater management pond maintenance
- A licence to collect fish for salvage during in-water infrastructure works

Some activities like monitoring are conducted to document fish species present at a site. Sampling is routinely completed using non-lethal sampling methods, fish are collected and identified and are returned to the site of capture. Monitoring activities following this method present little risk to fish, fish populations, and the environment.

In 2025 the ministry sought preliminary input on conceptual proposals to reduce approval requirements for certain non-lethal scientific collection activities: [Natural Resources Regulatory and Permit Reform Initiative: Unlocking Ontario's Economic Potential | Environmental Registry of Ontario](#).

Proposal

The ministry is proposing to amend O. Reg. 664/98 to streamline approval requirements for low-risk, non-lethal collections of fish when they will be held for short periods of time and released at the site of capture. The revised approach for administering and issuing licences to collect fish includes the following:

- Clarifying the necessary steps to assess the risk of fish collections through a “rules in regulation” approach.
- Allowing businesses and agencies needing to collect fish for low-risk activities to simply register their project with the ministry if they can meet all of the conditions included in the regulation. Upon registration the proponent would receive a confirmation of registration, which would be deemed as a licence to collect fish.
- Businesses and agencies that cannot meet the conditions included in the regulation would continue to be required to submit an application for a licence to the applicable ministry office or through an online portal.

The ministry is proposing to allow activities that would qualify for the registration and deemed licence approach if conditions set out in regulation could be met, which would include:

- A requirement that all work must occur within the open in-water work timing windows.
- Limiting sampling to non-lethal methods (with the exception of municipal storm water management pond clean out projects, which require that all fish, except Species at Risk, are euthanized as they cannot be returned to the pond).
- Prohibiting movement of fish overland.
- Defining the types of gear which should be allowed for low-risk projects eligible for the registration and deemed licence approach.
- Requiring that all fish must be returned to the same water body in which they were captured and could only be temporarily held for short durations.
- Requiring that fish must be released in a manner that minimizes harm and stress to the fish.
- Requiring that gear must be inspected at least once daily, and during dewatering operations, must be monitored continually.

- Requiring decontamination of all gear and equipment used for fish collections and holding in accordance with the “*Best Management Practices for Preventing the Spread of Aquatic Invasive Species – Guidance for Watercraft Users*”.
- Requiring that any extirpated, endangered or threatened species captured incidentally must be immediately released at the site of capture or at the nearest available appropriate habitat in the case of fish salvage.
- Requiring that incidentally captured listed aquatic invasive species must be handled in accordance with the rules of the *Invasive Species Act, 2015* and/or the federal Aquatic Invasive Species Regulations.
- Requiring the submission of an annual report to the ministry by January 31 of the year following the collection or following the expiration of the licence.

In addition, it is proposed that projects that receive a permit or a confirmation of registration under the *Species Conservation Act, 2025* would be allowed to proceed with registration provided the project is only targeting species listed under that Act. Projects targeting invasive species listed under the *Invasive Species Act, 2015* or the Aquatic Invasive Species Regulations (made under the federal *Fisheries Act*) would be allowed to proceed with registration provided they have the appropriate authorization (under the *Invasive Species Act, 2015*) or licence (under the *Fisheries Act*) which would be deemed a licence to collect fish under the FWCA.

Factors used to determine whether a project is eligible for the registration and deemed licence approach would be included in regulation. This would help to ensure that the licences and appropriate environmental protections are enforceable.

2. Collecting wildlife for scientific and educational purposes

Under section 39 of the FWCA, the Wildlife Scientific Collectors Authorization (WSCA) enables a person to capture, kill and possess wildlife (where it is otherwise prohibited) for educational or scientific purposes. It has been issued to address the live capture and subsequent release of wildlife at the capture site within a short period or lethal sampling and possession of dead specimens. This authorization is also used for other collection activities, such as collecting wildlife to move them out of harms way.

In 2025, the ministry sought preliminary input on conceptual proposals to reduce approval requirements for certain non-lethal scientific collection activities and for establishing clear rules for collecting and relocating species during development projects [Natural Resources Regulatory and Permit Reform Initiative: Unlocking Ontario's Economic Potential | Environmental Registry of Ontario](#).

Proposal

The ministry is proposing to allow for the following activities to proceed pursuant to rules set out in regulation:

- Collecting, possessing and releasing any species of reptile and amphibian that are wild by nature to move the animal out of harm's way where there is an immediate threat in a specific area as a result of:
 - Stormwater management pond maintenance (e.g., dewatering, sediment removal, bank repair), or
 - Construction and maintenance of infrastructure (e.g., housing, culverts, bridges, roads or railway systems, stormwater works, etc.).
- Persons would be required to register their activity in advance of conducting work and adhere to requirements set out in regulation, which would include:
 - Non-lethal collection only.
 - No movement of eggs.
 - Traps may not be used to collect animals.
 - Animals must be handled in accordance with the Ontario Species At Risk Handling Manual [Ontario Species at Risk Handling Manual: For Endangered Species Act Authorization Holders](#).
 - Any person handling wildlife shall be trained in proper wildlife handling procedures by qualified individuals. All wildlife should be handled as little as possible and in a manner that minimizes stress.
 - Animals must be released in a manner that causes the least harm into the closest suitable habitat following relocation distances prescribed in the Ontario Species At Risk Handling Manual.
 - Collection and release may only occur between April 26 and September 14 in EcoRegion's 7E and 6E ([EcoRegion | Ontario GeoHub](#)) and May 18-September 3 in the rest of the province.
 - Equipment used to handle animals must be cleaned/sterilized before leaving the site.
 - Work area must be enclosed on all sides with reptile and amphibian exclusion fencing.
 - Any animal injured must be immediately transported to a wildlife custodian or veterinarian for care.
 - Report within 24 hours to the ministry on any animals that are killed and comply with direction provided.
 - Report any wildlife suspected of being infected with a disease to the Canadian Wildlife Health Cooperative (CWHC).
 - Carry the registration while undertaking work.

Where rules cannot be followed, or for all other collection activities for scientific or education purposes, persons would continue to apply to the ministry for a WSCA.

Proposed changes support economic development and make it easier for people to move reptiles and amphibians out of harm's way when undertaking construction and stormwater management pond maintenance activities while mitigating risks associated with collecting, possessing and releasing wildlife.

The ministry would propose amendments to the FWCA and, if the enabling legislation is passed and receives Royal Assent, bring forward associated amendments to O. Reg. 665/98 (Hunting) and/or O. Reg. 668/98 (Wildlife in Captivity) to implement the proposal.

3. Keeping game birds in captivity

Section 40 of the FWCA requires a licence to keep game and specially protected wildlife in captivity. One of the licences that enables a person to keep game birds (e.g. gray partridge, northern bobwhite, ring-necked pheasant, ptarmigan, grouse, wild turkey) in captivity is a Licence to Keep Game Birds in Captivity. The Licence to Keep Game Birds in Captivity allows the keeping, propagating, buying and selling of live game birds. It is generally issued to individuals wanting to keep game birds and to support commercial breeding operations that supply persons or activities that are properly licensed or otherwise authorized for game bird hunting or hunting dog training.

The ministry issues approximately 80 Licences to Keep Game Birds in Captivity annually. These licences are generally issued for keeping gray partridge, northern bobwhite, ring-necked pheasant and wild turkey which are species that have an existing commercial market. Licences cost \$20.80 annually. These licences are generally low risk as they are routine and do not allow taking game birds from the wild or release of birds into the wild.

Proposal

The ministry is proposing to amend O. Reg. 666/98 (Possession, Buying and Selling of Wildlife) and/or O. Reg. 668/98 (Wildlife in Captivity) to eliminate the Licence to Keep Game Birds in Captivity and instead require persons to register annually to keep wild turkey, ring-necked pheasant, northern bobwhite, and/or gray (Hungarian) partridge in captivity. As part of registration, persons would note the species of birds being kept and where the birds are being kept, consistent with what is collected in accordance with the licence currently. There would be no fee for registration.

Persons who register would be required to follow rules in regulation consistent with the existing licence conditions and regulations, including:

- keeping birds at the location noted in their registration,
- ensuring birds do not escape,
- keeping a log book to track the movement of birds,
- issuing an invoice to persons who they sell birds to,
- not taking birds from the wild, and
- keeping a copy of the registration and providing it to a conservation officer on request.

Persons could not register to keep species of game birds (e.g. grouse, ptarmigan) in captivity. As this licence is being eliminated, it would no longer be available for these species. These species are rarely kept under the licence presently and there is no commercial source of these birds. There are other existing authorities that may permit game bird species to be kept in captivity for certain purposes (e.g. licensed zoos).

The proposal streamlines a routine, low-risk approval and improves data access while mitigating risks associated with keeping game birds in captivity.

4. Authorizing agents to protect property from wildlife

Subsection 31(2) of the FWCA allows property owners to use agents on their behalf to harass, capture or kill wildlife in protection of property on their own land. Agents require authorization from the ministry unless they belong to a class of agents prescribed in section 132 of O. Reg. 665/98 (Hunting). Existing classes of agents are licensed trappers, a landowner's immediate family members, nuisance wildlife removal businesses, municipal animal control, and persons with valid hunting accreditation.

Persons who do not qualify as a class agent can seek an authorization from the ministry. A Term Agent Authorization allows the person to engage in protection of property activities on an ongoing basis, while an Individual Agent Authorization is issued to address a specific one-time issue.

Proposal

The ministry is proposing to amend the FWCA to remove the ability to authorize additional agents beyond the prescribed class agents (i.e., eliminate the Term and Individual Agent Authorizations). Under the proposed approach, all agents would be required to meet one of the prescribed class agent criteria to act in protection of property on behalf of a property owner. There are very few authorizations issued to agents who do not qualify as a class agent, and the proposal would streamline the approach to having class agents act in protection of property. There are no changes to the ability for property owners to take action in protection of property on their own land.

5. Protecting property from deer and elk

Section 31 of the FWCA allows property owners, or their agents, to harass, capture or kill most wildlife in protection of property where they reasonably believe wildlife is causing or is about to cause damage to the person's property. However, property owners or their agents cannot harass, capture or kill white-tailed deer or American elk without authorization from the ministry (except in limited circumstances set out in regulation, such as protecting airport property).

Authorizations to harass or kill white-tailed deer or American elk are generally issued only to farmers (or their agents) to support protection of agricultural property and include a requirement to submit a report to the ministry. The ministry does not issue authorizations for the capture of deer or elk in protection of property.

Proposal

For the purpose of protecting property, the ministry is proposing to allow the harassment of white-tailed deer and American elk without authorization by any property owner, consistent with the current approach taken for harassing most other wildlife in protection of property (e.g., must occur on person's land, person must believe on reasonable grounds that damage is occurring or is about to occur, non-lethal), subject to additional rules (e.g., persons cannot harass deer or elk using a firearm or dogs).

This would provide additional flexibility for persons to protect their property while still recognizing the value of deer and elk as big game species and components of Ontario's ecosystems by maintaining authorization requirements for any killing of deer or elk in protection of property.

The ministry would propose amendments to the FWCA and, if the enabling legislation is passed and receives Royal Assent, bring forward associated amendments to O. Reg. 665/98 (Hunting) to implement the proposal.

6. Protecting infrastructure from beaver dams

Section 8 of the FWCA generally prohibits a person from interfering with a black bear in its den, damaging or destroying a furbearing mammal den, or damaging or destroying a beaver dam unless the person is protecting their property, is a licensed trapper, or has an authorization from the ministry. Issuance of an authorization allows flexibility to accommodate circumstances where dens or dams may need to be altered or destroyed (e.g. road construction, den in attic, research, etc.). This authorization is a wildlife management tool that helps protect property, supports infrastructure maintenance and development and supports public safety by addressing black bear or furbearing mammal dens when required. The majority of authorizations issued are to support beaver dam alteration or removal.

Proposal

The ministry is proposing to allow low-risk beaver dam removal activities to occur without authorization to support the construction and maintenance of infrastructure where a person registers the activity and follows certain rules in regulation. Persons who want to remove a beaver dam would register with the ministry by providing the ministry with information on the activity including the location, rationale, time of year, proposed tools and methods of removal.

Activities that meet low-risk criteria, such as where the beaver dam removal would be considered low-risk of negatively impacting the environment or infrastructure, would proceed through a registration without requiring authorization. Low-risk criteria would include low impact removal methodology (e.g. use of hand tools rather than construction machinery), time of year (spring and summer only), and single dam removal. All beaver dam removal activities must also comply with federal legislation, including protections for species at risk, and fisheries habitat through application of best practices for removal of beaver dams (e.g., Department of Fisheries and Oceans Canada Code of practice: Beaver dams - Breaching and Removal).

Beaver dam removal activities that do not meet low-risk criteria would continue to require authorization from the ministry (e.g., multiple and complex beaver dam features or use of mechanical equipment). This would reduce regulatory burden for low-risk beaver dam removal activities while focusing the ministry's efforts on reviewing higher-risk approvals.

The ministry would propose amendments to the FWCA and, if the enabling legislation is passed and receives Royal Assent, bring forward associated amendments to O. Reg. 665/98 (Hunting) and/or O. Reg. 667/98 (Trapping) to implement the proposal.

There are no changes proposed to authorization requirements for the destruction of a black bear or other furbearing mammal den or interfering with black bears in their dens.

7. Removal of nests and eggs

Section 7 of the FWCA generally prohibits the destruction, taking or possession of the nest or eggs of a bird species that is wild by nature. This includes game birds, specially protected birds and most other wild birds that are not protected federally under the *Migratory Birds Convention Act, 1994* (Canada). Bird nests can sometimes present certain risks depending on their locations and removal without authorization is allowed for certain bird species and for certain activities prescribed in regulation such as maintaining the function of electricity or transmission lines. Additional exemptions exist for renewable energy projects in accordance with the renewable energy approval.

Unless specifically exempted through regulation, authorization is generally required from the ministry to destroy, take or possess nests or eggs of birds. There are a range of circumstances where nests or eggs may need to be removed, including for work on hydro lines, removal of damaged or dead trees, building maintenance, protection of property in limited circumstances, etc.

Proposal

The ministry is proposing to amend O. Reg. 665/98 (Hunting) to allow the removal of nests and eggs without ministry authorization where the removal is necessary due to

the nest posing an immediate fire hazard. This would not apply where there are young birds present in the nest.

The ministry is also proposing to clarify the scope of existing regulatory exemptions in O. Reg. 665/98 as follows:

- Nests may be removed for renewable energy projects where nests have been identified through the Natural Heritage Assessment process of a renewable energy project approval.
- Nests and eggs may be removed for activities required to maintain an electricity transmission or distribution line within the transmission or distribution corridor or to maintain a telecommunications line or a broadcast tower where the nests or eggs pose an immediate risk to the function of the line or tower.

The proposed changes are intended to improve clarity and consistency and support public safety.

The ministry welcomes feedback on the proposals noted above.