

SUBMISSION TO THE
NUNAVUT WILDLIFE MANAGEMENT BOARD
June 2019

FOR

Information:

Decision: X

Issue: Fisheries and Oceans Canada and the Parks Canada Agency – Tuvaijuittuq Marine Protected Area Proposal

Background:

Fisheries and Oceans Canada (DFO) and Parks Canada Agency (PCA) are interested in advancing marine protection measures for a portion of the high arctic basin multi-year pack ice called 'Tuvaijuittuq'. Protection efforts are currently focused on Tuvaijuittuq because of the ecological significance of the area, stakeholder and partner interests as well as the potential risks from anticipated increases in Arctic Ocean activities. As an interim measure DFO is proposing to use a Ministerial Order under the *Oceans Act*, to freeze the footprint of the area for up to 5 years. This tool will only be available if the Bill C-55 receives Royal Assent.

In December of 2018 DFO sought Nunavut Wildlife Management Board (NWMB) advice on potential protection measures for a portion of the High Arctic Basin that lies outside of the Nunavut Settlement Area. This proposal was for a phased approach to protection which included the use of the Ocean Act Ministerial Order followed by information (science and Inuit Qaujimagatuqangit) collection, stakeholder engagement and collaboration, and long term protection measure determination. At the time the board recommended that DFO undertake additional consultations.

Following this meeting, representatives from PCA, DFO and the Qikiqtani Inuit Association (QIA) negotiated and reached an Agreement in Principle (AiP) on the Inuit Impact and Benefit Agreement (IIBA) for Tallurutiup Imanga National Marine Conservation Area (TINMCA) that committed the parties to, among other things, work collaboratively with the Government of Nunavut (GN) to advance protection of Tuvaijuittuq, including the consideration of interim protection measures under the proposed revisions to the *Oceans Act*. During this time the boundary of the area was extended into the Nunavut Settlement Area to include the coastal waters of northern Ellesmere Island (Figure 1). DFO and PCA (representing Canada), QIA and the GN and have since signed a Memorandum of Understanding (MoU) to develop a process for consideration of environmental designations in Tuvaijuittuq. The MoU provides for the establishment of a Tuvaijuittuq Steering Committee (TuvSC) with representatives from Canada, GN and QIA to guide the feasibility assessment for long-term marine protection in Tuvaijuittuq. The TuvSC is also guiding this proposal for an interim protection measure for Tuvaijuittuq.

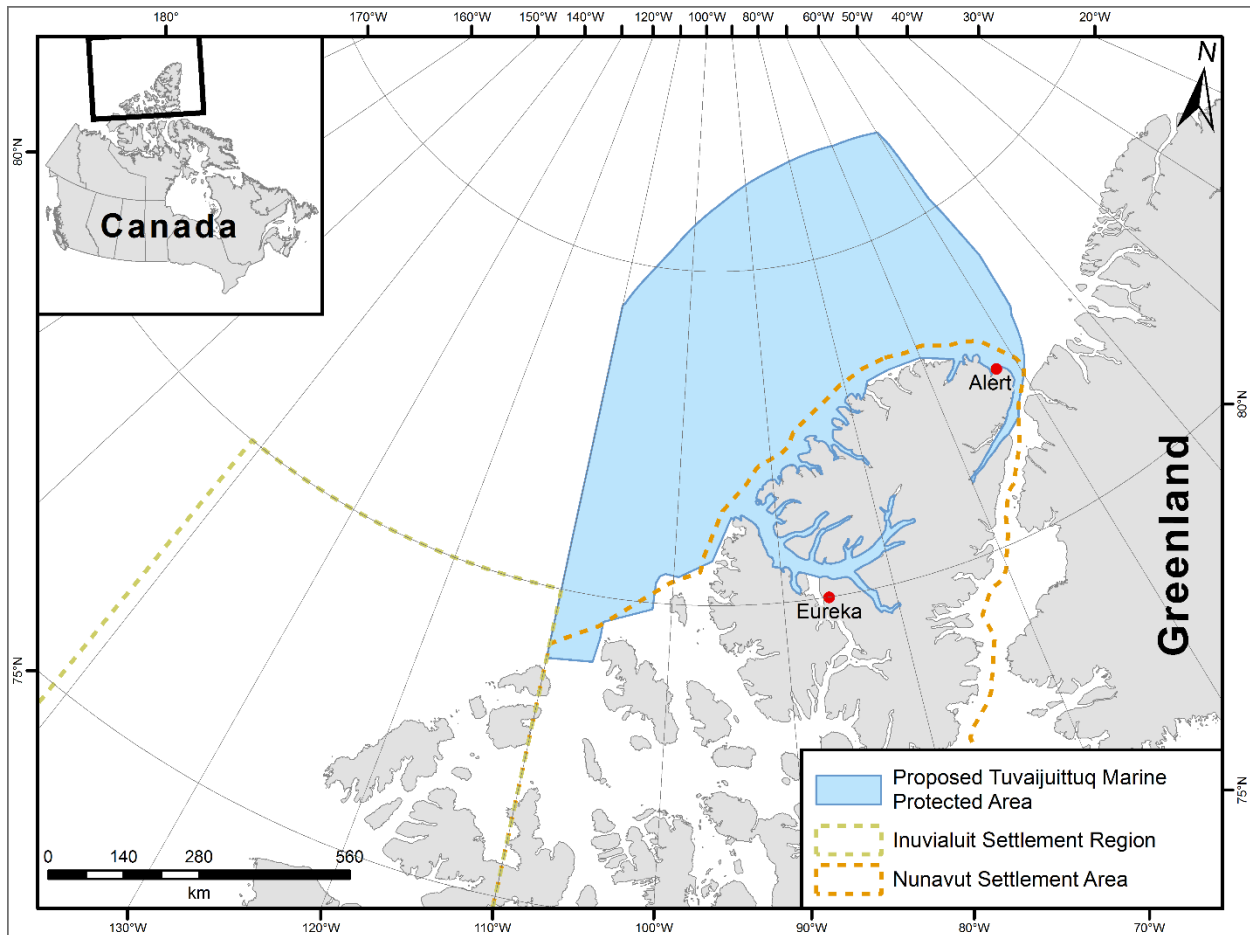


Figure 1. Proposed Tuvaijuittuq Marine Protected Area

Consultations

To date, DFO and PCA have provided information to, and requested feedback from, many stakeholders and partners on a proposed phased approach to marine protection whereby interim protection would be established in Tuvaijuittuq to allow time for the collection of baseline scientific information and for further engagement with co-management partners and stakeholders with regard to long-term protection options. Use of the interim protection option will be dependent on support from parties to the MoU and direction of the Steering Committee.

In addition to QIA and GN, key partners engaged in this process include Nunavut Tunngavik Inc., Inuvialuit Regional Corp., Inuvialuit Game Council, Fisheries Joint Management Council, Government of Northwest Territories, and Government of Yukon Territory.

Initial engagement of communities closest to Tuvaijuittuq began in April 2018. More recently (February 25-28, 2019), DFO and PCA engaged with the Hunter's and Trapper's Organizations (HTOs) and communities of Arctic Bay, Resolute Bay and Grise Fiord in response to recommendations from the NWMB. At these meetings potential protection measures and ongoing

DFO Science initiatives in Tuvaijuittuq were discussed. Representatives from both the GN and the QIA also participated in these meetings. HTOs and attending members from all three communities were generally supportive of both interim and long-term protection of Tuvaijuittuq, as well as the collection of scientific data to better understand the area. Community concerns related to Tuvaijuittuq included the appropriate regulation of small and large vessel traffic to avoid impacts to ice, marine mammals and other biota, and potential impacts from activities such as oil and gas exploration and research.

In April 2019, the Government of the Northwest Territories wrote to DFO expressing concerns with the proposed Tuvaijuittuq MPA boundary. While the Government of Canada has the authority under the *Oceans Act* to establish a marine protected area in any area of the sea, the boundary of the Tuvaijuittuq proposed MPA was modified to remove the area that caused concern in the spirit of collaboration (Figure 1).

Request:

DFO is requesting approval for establishment of a conservation area for Tuvaijuittuq, through designation of a Marine Protected Area by Ministerial Order under the proposed *Oceans Act* amendment (Bill C-55). Consistent with the Nunavut Agreement s9.3.2 (establishment of conservation areas).

A decision is requested by July 3, 2019.

Prepared by: Central and Arctic Region – Fisheries and Oceans Canada, Oceans Program

Date: May 15, 2019