

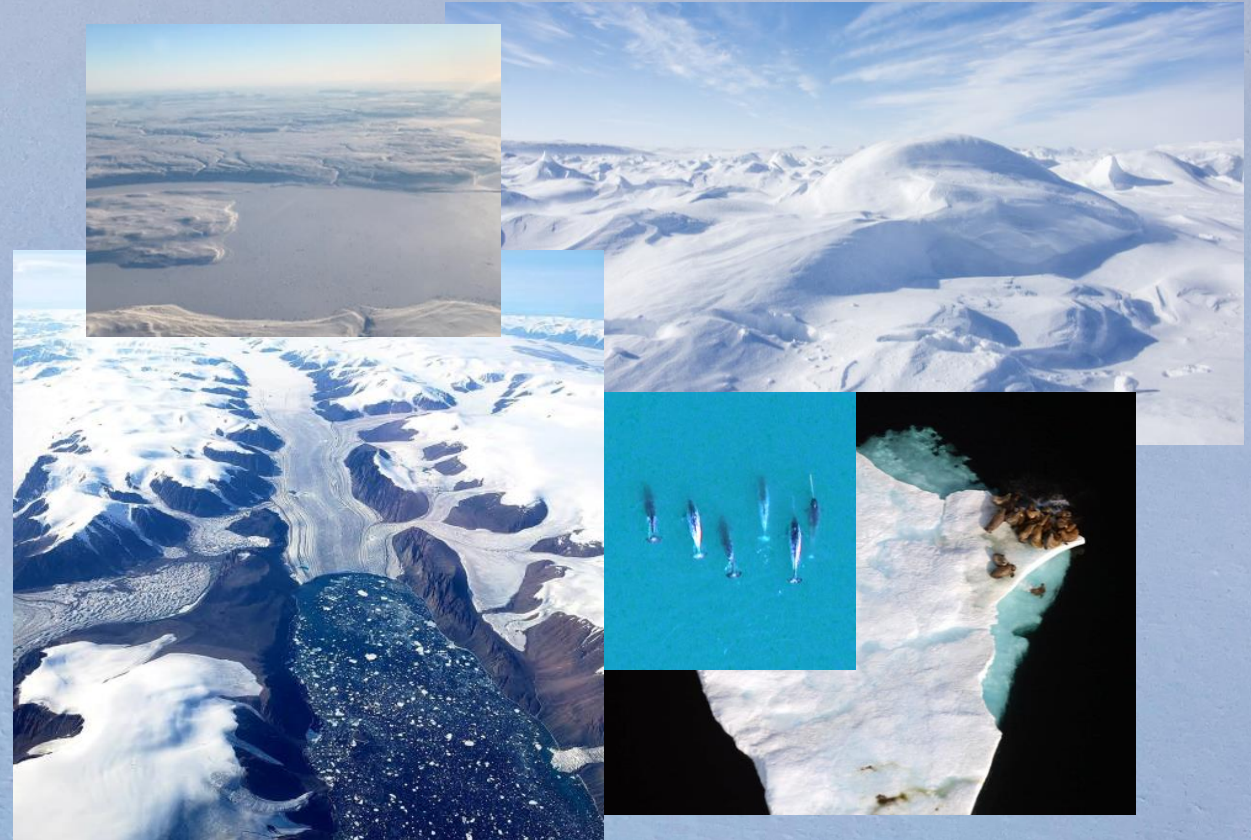
# Proposal to Establish a Second Ministerial Order Marine Protected Area in Tuvaijuittuq

Presentation to the Nunavut Wildlife Management Board for decision  
March 26, 2024



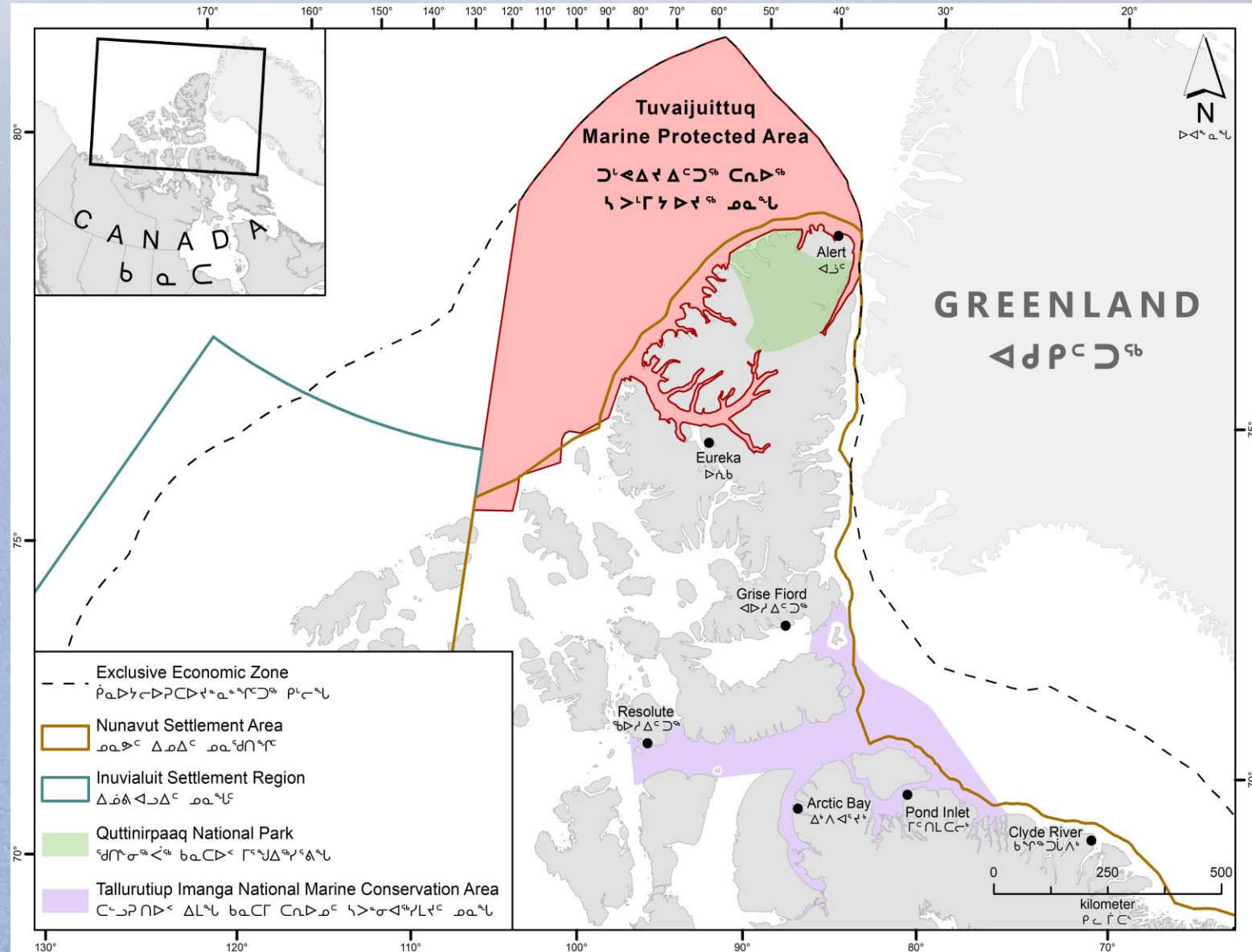
# Tuvaijuittuq – Proposal for a New Ministerial Order Marine Protected Area (MPA)

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# Purpose

- DFO is seeking NWMB's approval to establish a second Ministerial Order Marine Protected Area in Tuvaijuittuq under the *Oceans Act*, which will be consistent with the Nunavut Agreement, s9.3.2
- Requested by the Qikiqtani Inuit Association in January 2023



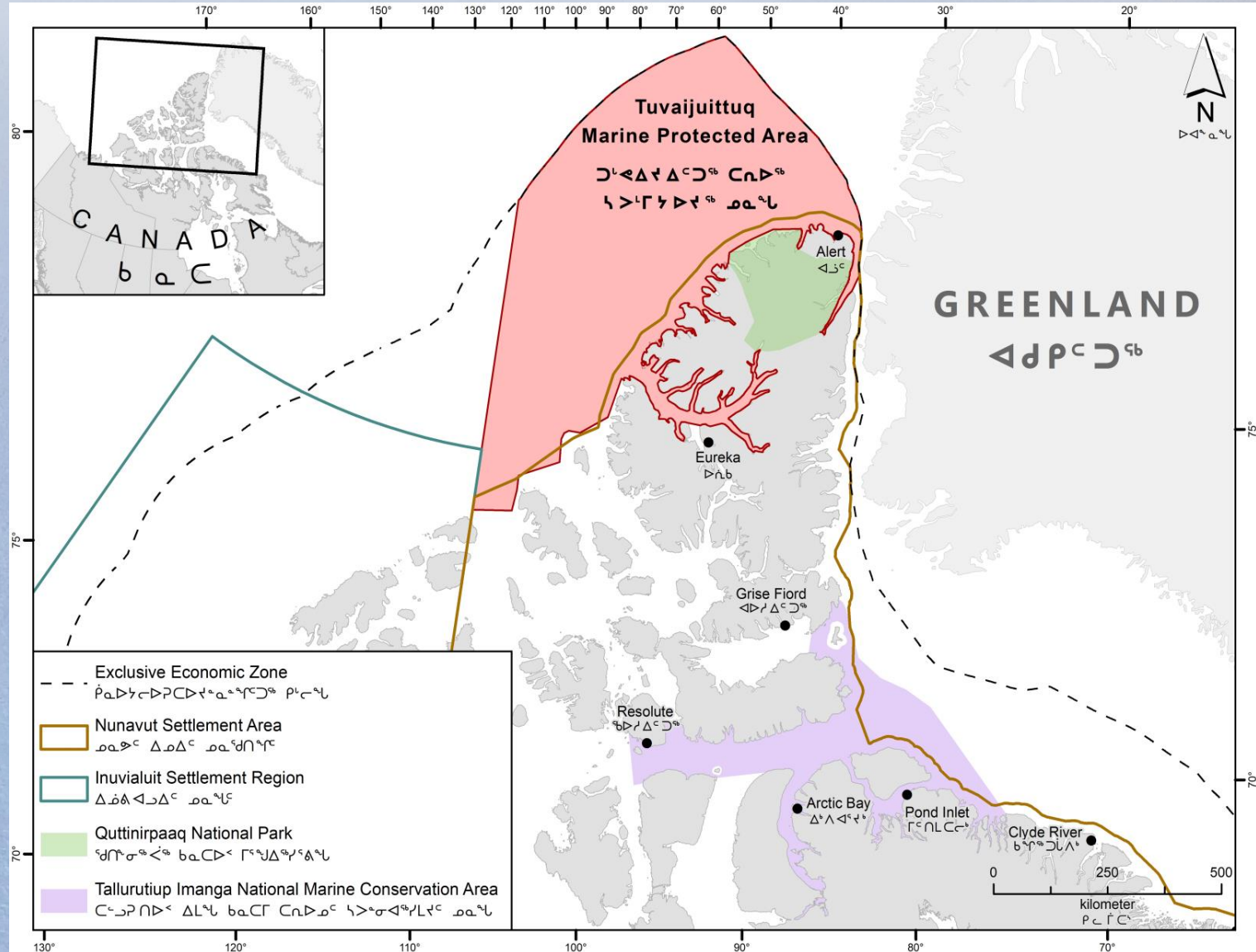
# Background

- Located northwest of Ellesmere Island
- Historical importance to Inuit as a travel corridor between Canada and Greenland
- Falls within a number of Ecologically and Biologically Significant Areas (EBSAs)
- Overlaps with a PCA candidate National Marine Conservation Area (NMCA)
- Established as a marine protected area (MPA) by Ministerial Order under the *Oceans Act* in 2019



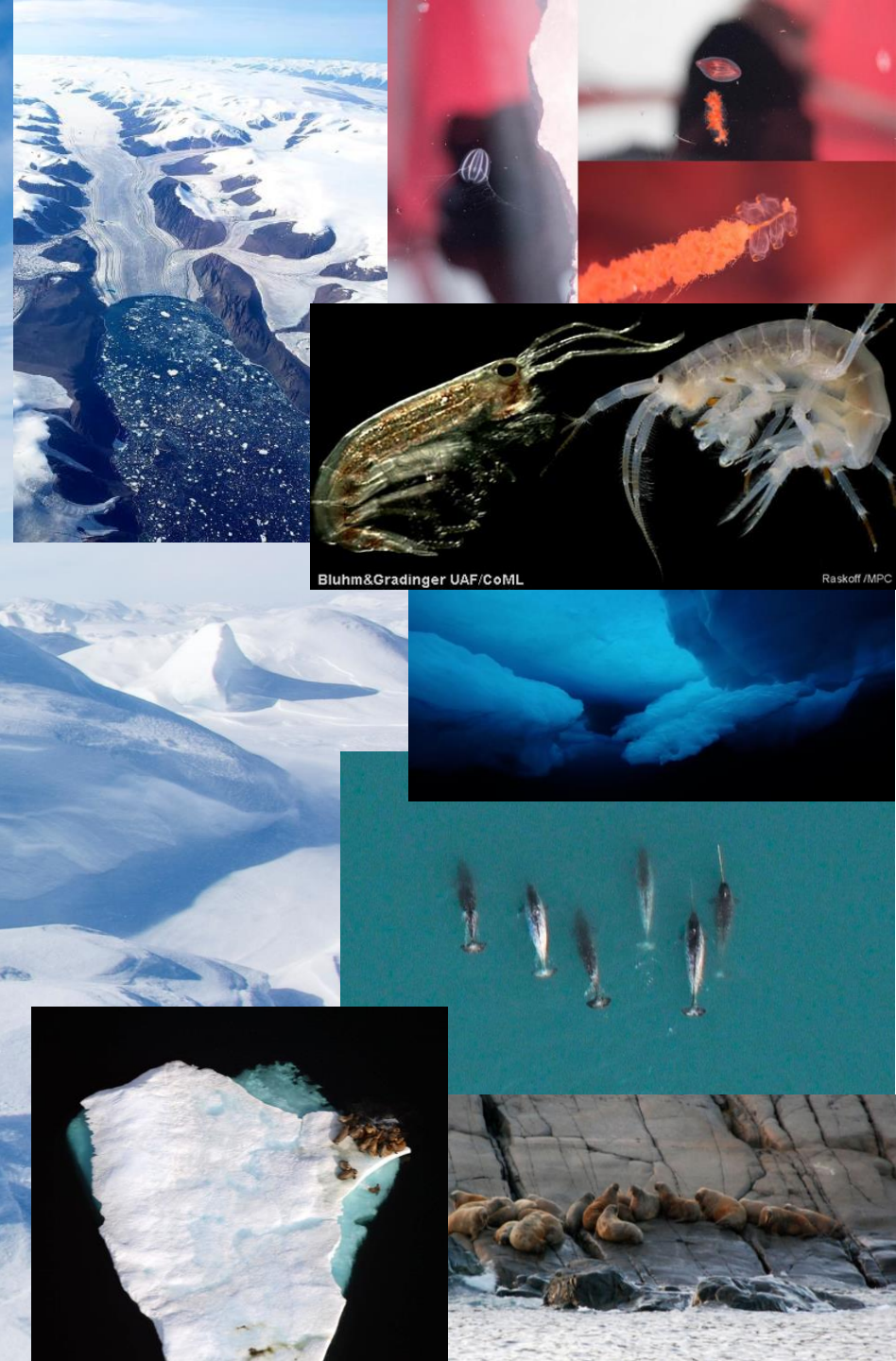
# Background

- Included under the 2019 Tallurutiup Imanga National Marine Conservation Area Inuit Impact and Benefit Agreement (IIBA)
  - Co-managed by the Inuit-Government of Canada Aulattiqatigiit Board
- Also in place is a Memorandum of Understanding, signed by Government of Canada, Qikiqtani Inuit Association (QIA) and Government of Nunavut



# Why is Tuvaijuittuq Important?

- Multi-year ice provides important habitat to ice-associated species such as Arctic cod, polar bears, seals, walruses
- Supports and provides protection to under-ice communities
- Forms the basis of local and regional food webs that support higher trophic level species with distributions throughout the Arctic
- Expected to become a critical refuge to ice-associated and under-ice communities as sea ice declines due to climate change



# Socio-economic Considerations

- Minimal activities in Tuvaijuittuq due to its remoteness and inaccessibility
  - No active commercial or recreational fisheries
  - Limited subsistence harvesting
  - No current mining activity and no oil and gas licences: no expressions of interest; moratorium in place
  - High petroleum potential in some areas, high uncertainty, resources not economically accessible
  - Minimal vessel traffic (according to analyses of AIS data)
    - 5 vessels accessed Tuvaijuittuq between August 2012 and July 2018; one foreign passenger vessel in 2016
    - No vessels accessed Tuvaijuittuq in the 12 months leading up to establishment of the 2019 Ministerial Order MPA
    - Since July 2019, only two vessels, both Canadian Coast Guard vessels, accessed Tuvaijuittuq for the purposes of safety and security
  - No tourism activities in the 12 months leading up to the 2019 Ministerial Order

# Proposed New Ministerial Order MPA

- The new Ministerial Order MPA would replace the current Ministerial Order
  - The Order would be in place for up to 5 more years and can be replaced by a long-term measure at any time
- The new Ministerial Order MPA will be consistent with the Nunavut Agreement
- Regulations would stay the same as those already in place in Tuvaijuittuq (<https://laws-lois.justice.gc.ca/eng/regulations/SOR-2019-282/page-1.html>)
- The new Ministerial Order MPA will continue to be covered by the Tallurutiup Imanga National Marine Conservation Area IIBA and co-managed by the Aulattiqatigiit Board
- The proposed boundary is the same as the existing MPA boundary
  - Minor adjustments anticipated to align with new international boundary



### **Seabed, subsoil and water column**

**(2)** The Marine Protected Area consists of the seabed, the subsoil to a depth of five metres and the water column, including the sea ice, each of which is below the low-water line.

### **Ongoing activities**

**3** For the purposes of subsection 35.1(2) of the *Oceans Act*, the following classes of activities are ongoing activities in the Marine Protected Area:

- (a)** national defence activities carried out by the Department of National Defence; and
- (b)** marine scientific research activities.

### **Prohibitions**

**4 (1)** It is prohibited in the Marine Protected Area to carry out any activity — other than those set out in section 3 — that disturbs, damages, destroys or removes from the Marine Protected Area any unique geological or archeological features or any living marine organism or any part of its habitat, or is likely to do so.

### **Exemption**

**(2)** Despite subsection (1), the following activities may be carried out in the Marine Protected Area:

- (a)** marine navigation by a foreign national, a foreign ship or a foreign state, or an entity incorporated or formed by or under the laws of a country other than Canada; and
- (b)** the laying, maintenance and repair of cables and pipelines by a foreign state.

### **Non-application – Nunavut Agreement**

**5** This Order does not apply with respect to the wildlife harvesting rights of the Inuit in the Nunavut Settlement Area, as provided for in the Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada, as approved, given effect and declared valid by the *Nunavut Land Claims Agreement Act*.

# Community Consultation

- **November/December 2022:** consulted with Arctic Bay, Clyde River, Grise Fiord, Pond Inlet, Resolute Bay – share/seek input on study findings (ecological, resource potential, socio-economic)
- **April 2023:** the Tuvaijuittuq Working Group returned to the communities to seek input on the proposed second Ministerial Order MPA, including proposed regulations
  - “What We Heard” reports sent to HTAs and hamlet councils summarizing the feedback and providing additional information on the proposal
- Both consultation processes included meetings with community Hunters and Trappers Associations (HTAs), hamlet councils, Nauttiguqtiit, and community open-houses
- **May-August 2023:** virtual follow-up meetings held with select community groups as needed
- **June 2023:** follow-up letters sent to HTAs and hamlet councils to provide further clarity on the proposal and to offer additional meetings
- **July-September 2023:** Letters in support of the second Ministerial Order MPA were received from all 5 community HTAs and hamlet councils

# Stakeholder Consultation

- July 2023: DFO, Parks Canada, QIA and the Government of Nunavut sent a joint project description and letter to industry and other stakeholders inviting them to comment on the proposal and offering to meet with each organization
- Stakeholder groups engaged in this process included the Nunavut Water Board, Qikiqtaaluk Wildlife Board, Nunavut Tunngavik Inc., Inuvialuit Regional Corporation, Inuvialuit Game Council, Fisheries Joint Management Council, Inuit Circumpolar Council, Inuit Tapiriit Kanatami, ENGOs, fishing industry, shipping industry, cruise ship industry, oil and gas and mining industries, tour operators, and academia.
- Only one response was received from external stakeholders – World Wildlife Fund-Canada fully supported the proposal
- The Qikiqtaaluk Wildlife Board (QWB) was included in this process for awareness, with invitation to meet. DFO followed up with the QWB in September 2023 to provide copies of community support letters, and subsequently presented at their November 2023 Annual General Meeting

# Nunavut Planning Commission (NPC) & Nunavut Impact Review Board (NIRB) Submissions

- DFO submitted its proposal to the NPC for Conformity Determination against the North Baffin Land Use Plan, under *Nunavut Planning and Project Assessment Act (NUPPAA)*
  - Similar to their decision in 2019 for the first Ministerial Order MPA, the NPC determined a Conformity Determination and screening by the Nunavut Impact Review Board was not necessary

# Pre-Publication in Canada Gazette Part I

- In December 2023, DFO published its proposal to establish a new Ministerial Order MPA in Tuvaijuittuq
- Public comment period closed in January 2024
- One comment was received which was supportive of protection

# Next Steps

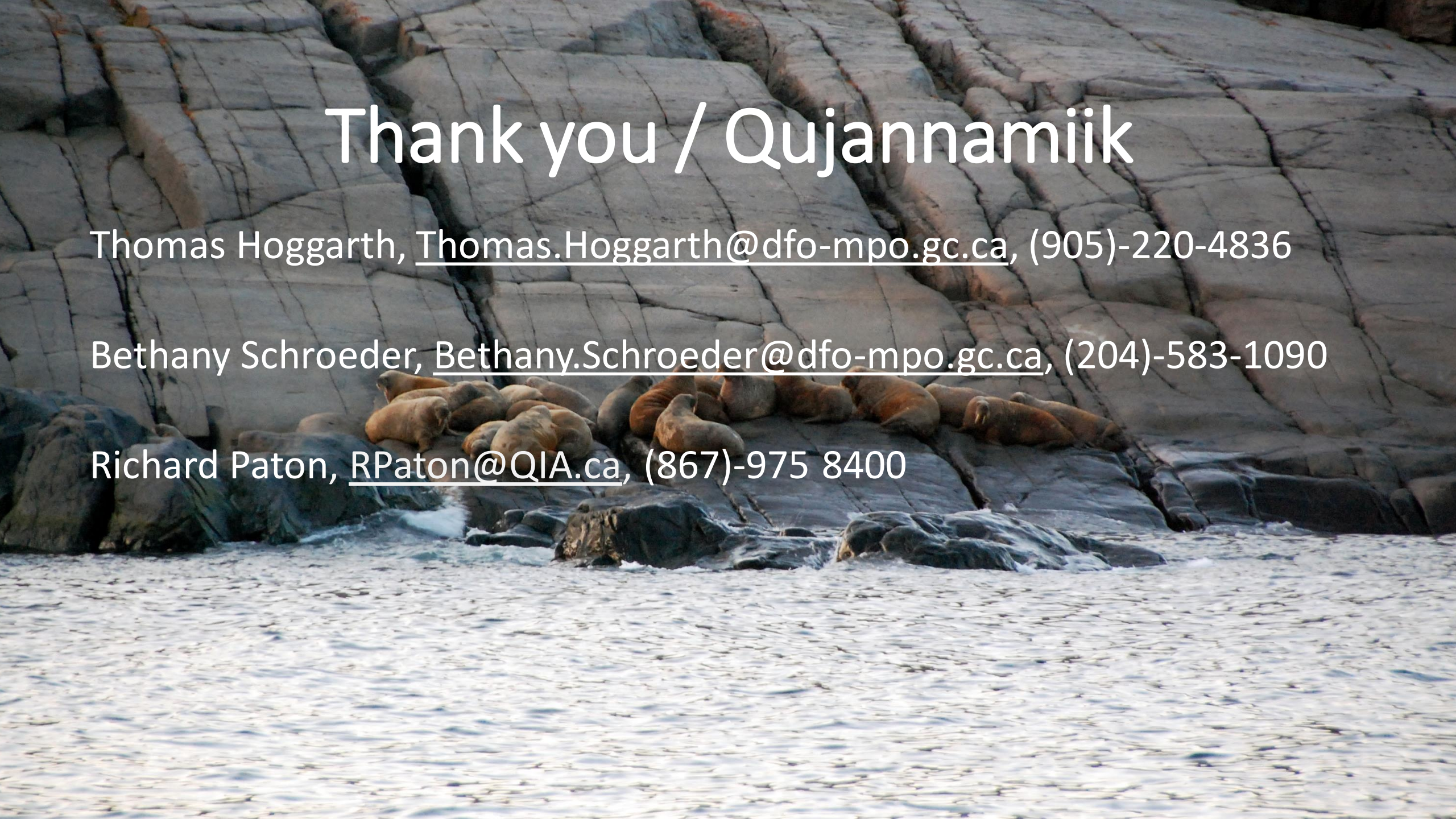
- If the NWMB approves of DFO's proposal to establish a new Ministerial Order MPA in Tuvaijuittuq:
  - Publication in Canada Gazette Part II (Designation of the new MPA)
  - Continued co-management by the Aulattiqatigiit Board
  - Continued data collection, QIA-led Inuit Qaujimajatuqangit study and feasibility assessment to develop approach for an IPCA in Tuvaijuittuq

# Thank you / Qujanniik

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# Additional Information

# Inuit Employment and Stewardship

- Tallurutiup Imanga National Marine Conservation Area IIBA
  - Government of Canada provides funding for the establishment and operation of the Nauttiqsuqtiit Inuit Steward Program
    - Program is administered by the Qikiqtani Inuit Association
    - Provides Inuit employment as environmental stewards and harvesters
    - Provides for mentorship, training, and economic development for Inuit
    - Pilot program in Arctic Bay in 2018, was subsequently extended to Clyde River, Grise Fiord, Pond Inlet and Resolute Bay
  - Funding also provides for Inuit led research and monitoring through an Inuit Research and Monitoring Fund
  - Contribution funding to eligible Inuit organizations in support of exploring fisheries potential, marine spatial planning and other activities in Tallurutiup Imanga National Marine Conservation Area
  - Contribution funding to support capacity for advancing the Tuvaijuittuq feasibility assessment
- Annual engagement with communities related to ongoing research in Tuvaijuittuq, including invitations for Inuit researchers to take part in research activities
  - Community researchers have joined various research programs in 2018, 2019, 2021 and 2022 (no research occurred in 2020 due to the COVID-19 pandemic)
  - Community interest in traveling to Tuvaijuittuq for extended research programs has been limited

# Timeline

- **September 2022:** QIA outlines interest in pursuing an Indigenous Protected and Conserved Area (IPCA) in Tuvaijuittuq
- **January 2023:** QIA requests a second Ministerial Order MPA to recover the time lost due to pandemic challenges, to allow additional time to explore an IPCA, and to meaningfully consult with communities
- **March 2023:** DFO's Minister agrees to the request from QIA to pursue establishment of a second Ministerial Order in Tuvaijuittuq
- **April 2023:** Community and stakeholder consultations begin
- **September 2023:** Letters in support of the new Order are received from HTAs and hamlet councils of Arctic Bay, Clyde River, Grise Fiord, Pond Inlet and Resolute Bay
- **October 2023:** DFO submits proposal to NPC for Conformity Determination
- **December 2023:** Canada Gazette, Part I (public comment period)
- **March 2024:** Seek NWMB approval
- **Summer 2024:** Canada Gazette, Part II (Ministerial Order MPA is established)



