

Request for Nunavut Wildlife Management Board Approval of a Second Ministerial Order Marine Protected Area in Tuvaijuittuq

Consultation and Engagement Summary

1. Tallurutiup Imanga National Marine Conservation Area Inuit Impact and Benefit Agreement and High Arctic Basin (Tuvaijuittuq) Memorandum of Understanding

The current Ministerial Order Marine Protected Area (or Order) in Tuvaijuittuq is covered under the Tallurutiup Imanga National Marine Conservation Area Inuit Impact and Benefit Agreement (IIBA) (Article 17), signed in 2019 by Canada and the Qikiqtani Inuit Association (QIA). The proposed second Order would be covered under the same IIBA.

Also in 2019, the Government of Canada, represented by Fisheries and Oceans Canada (DFO) and Parks Canada Agency (PCA), the QIA, and the Government of Nunavut signed a Memorandum of Understanding (MoU) to develop a joint process for determining the feasibility and desirability of long-term protection in Tuvaijuittuq. The MoU identifies the Tuvaijuittuq Steering Committee as being responsible for guiding the feasibility assessment, which includes an evaluation of long-term options for the area. In February 2020, the Steering Committee created a working group with representation from all parties to complete the joint assessment.

2. Community and engagements to date

Initial engagement of stakeholders and communities on marine protection in Tuvaijuittuq began in winter 2018, when QIA led a community tour to provide an update to the five adjacent communities associated with Tuvaijuittuq pursuant to an Agreement in Principle reached in April 2019 prior to signing the IIBA. Communities supported in principle the protection of Tuvaijuittuq, and echoed the importance of Inuit being involved in research taking place in the area. Stakeholder groups engaged as part of this process included key Inuit organizations and northern governments, non-governmental organizations, and industry. The majority of stakeholders engaged on the proposal provided their support and/or expressed no concerns. In light of negotiations between the Government of Canada, the Government of the Northwest Territories, the Yukon government, and the Inuvialuit Regional Corporation on future offshore oil and gas activity in the Beaufort Sea, the Government of the Northwest Territories requested that a small portion of Tuvaijuittuq along its western boundary be removed from the proposed MPA. This request was respected by the Government of Canada in the spirit of collaboration.

In December 2018, DFO formally presented the proposal to the Nunavut Wildlife Management Board, who subsequently indicated that additional engagement was needed with communities closest to the proposed MPA. Following this advice, in February 2019, DFO and PCA engaged with the Hunter's and Trapper's Organizations (HTOs) and communities of Arctic Bay, Resolute Bay and Grise Fiord on a proposed phased approach to marine protection whereby interim protection would be established in Tuvaijuittuq to allow time to collect baseline scientific information and further engage co-management partners and stakeholders with regard to long-term protection options. 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. A "What We Heard" report developed as part of these consultations was reviewed and approved by the community HTOs and tour

participants. Later that year, QIA consulted two additional communities (Pond Inlet and Clyde River) on the proposal and subsequently obtained letters from all five community HTAs and hamlet councils in support of the proposed Ministerial Order designation. In their support letters, community organizations noted that, *“During the feasibility process our community will be engaged to discuss and consider whether this area should become a conservation area, the boundaries for a conservation area and what types of protection would be created should the conservation area be established.”* On June 19, 2019, DFO presented its proposal to the NWMB for its approval, which the NWMB approved the proposal the following month. The Order came into force on July 31, 2019, and work began on the feasibility assessment.

Between November 14 and December 6, 2022, the Tuvaijuittuq Working Group traveled to the communities of Arctic Bay, Clyde River, Grise Fiord, Pond Inlet, Resolute Bay to seek input on the feasibility assessment process, to seek information about community use and interest in Tuvaijuittuq for the long term, and to share the results of various assessments completed for the area, including a biophysical overview, petroleum potential and economic assessment, and socioeconomic overview. The consultation process included meetings with community HTAs, hamlet councils, Nauttisuqtiit, and community open houses. Communities remained generally supportive of protection and expressed interest in future economic opportunities in Tuvaijuittuq if these become possible. A common theme heard across communities was a desire to learn more about Tuvaijuittuq as research continues, to be updated on the progress of the assessment and long-term protection options, and the importance of Inuit-led decision-making in conservation.

Between April 3-18, 2023, the Tuvaijuittuq Working Group returned to these five communities to seek input on QIA’s request to seek a second Ministerial Order MPA in Tuvaijuittuq, including the area’s proposed boundary and regulatory intent. In each community the consultation process included meetings with community HTAs, hamlet councils, Nauttisuqtiit, and community open houses. Between May and July 2023 the Working Group undertook additional virtual follow-up meetings with the Nangmoutaq HTA, Clyde River Hamlet Council, Iviq HTA and Grise Fiord Hamlet Council to ensure quorum. The HTAs and hamlet councils in all five communities gave permission for DFO to seek formal letters of support for the proposal. There is interest from all five communities to protect Tuvaijuittuq in both the short-term and long-term, but also in balancing protection with economic opportunities for future generations. Interest in protecting the area is based on Tuvaijuittuq’s ecological importance, its significance to Inuit, and interest in the area’s resources by other countries.

In June 2023, follow-up letters were sent to the HTAs and hamlet councils of all five communities, to provide additional clarity on questions raised during the consultation process and to offer additional meetings if needed to discuss the proposed regulation. As part of the consultation process, individual “What We Heard” reports were also developed for each community to summarize the feedback provided by communities members, and to provide additional information to questions raised during the consultations. The reports were circulated to each community’s HTA and hamlet council for their review. One-page summaries of these reports were also mailed to each community mailbox to ensure awareness within the broader communities. DFO received letters in support of the new Ministerial Order MPA from the HTAs and hamlet councils of all five communities.

In June 2023, DFO presented an update on Tuvaijuittuq to the Nunavut Wildlife Management Board at its quarterly meeting. The update included notification that DFO was pursuing the establishment of a second Order in Tuvaijuittuq at the request of QIA.

In July 2023, parties to the MoU sent a joint project description and letter to industry and other stakeholders inviting them to comment on the proposal to repeal and replace the Tuvaijuittuq Ministerial Order MPA. In their letter to stakeholders, the parties also offered to meet with each organization. Stakeholders engaged in the 2019 Ministerial Order MPA process were re-engaged between July and August 2023 in collaboration with partners, along with additional groups identified since. Stakeholder groups included territorial stakeholders, environmental non-government organizations, fishing industry, shipping industry, cruise ship industry, oil and gas and mining industries, tour operators, and academia. Stakeholders in Nunavut were engaged through the Nunavut Marine Conservation Target Steering Committee (represented by Environment and Climate Change Canada [ECCC], PCA, Crown-Indigenous Relations and Northern Affairs Canada [CIRNAC], Transport Canada [TC], DFO, the Government of Nunavut Department of Environment, and Nunavut Tunngavik Inc. [NTI]), and Nunavut Water Board. The Qikiqtaaluk Wildlife Board was also included in this process for awareness, with a commitment to providing updates and copies of any community letters in support of the proposal if received.

Stakeholders in the Inuvialuit Settlement Region (ISR) were engaged on the proposal through the Beaufort Sea Partnership Regional Co-ordination Committee, which is comprised of the Inuvialuit Regional Corporation, the Inuvialuit Game Council, the Fisheries Joint Management Committee (FJMC), PCA, CIRNAC, the Government of the Northwest Territories, the Yukon Government, ECCC, Natural Resources Canada (NRCan) and TC.

Industry and non-government organizations included the Canadian Marine Advisory Council, Nunavut Fisheries Association, Eastern Arctic Groundfish Stakeholder Advisory Committee (EAGSAC), Arctic Security Consultants, Oceans North, World Wildlife Fund-Canada (WWF-Canada), Ecology Action Centre, and Inuit Circumpolar Council. Key cruise ship industry stakeholders were also engaged during that period. Of those external stakeholders engaged, only WWF-Canada provided input and was fully supportive of the proposal. No other external stakeholder comments were received.

In September 2023, DFO re-engaged the Qikiqtaaluk Wildlife Board in writing to provide an update on Tuvaijuittuq and copies of the community letters of support received, as well as to notify the Board that DFO would be presenting an update on this proposal and seeking their approval during the Board's fall quarterly meeting. On November 22, 2023, DFO presented updates on the proposal to the QWB, and sought clarity from the Board on how they would like to be involved and informed on next steps for this site. No comments were received from the Board. DFO will continue to engage the QWB on this site.

On October 31, 2023 following DFO's submission of its proposal to the Nunavut Planning Commission in accordance with requirements set out in the Nunavut Agreement and *Nunavut Planning and Project Assessment Act*, the Nunavut Planning Commission determined that pursuant to the *Nunavut Planning and Project Assessment Act* the proposed Ministerial Order was not subject to the land use plan conformity process and therefore did not require a conformity determination.

On November 29, 2023, DFO presented an update on Tuvaijuittuq to the NWMB at its fall quarterly meeting and provided a notification that DFO would present its proposal to the NWMB for decision in spring 2024 following conclusion of the Canada Gazette I public comment period.

On December 14, 2023, DFO sent notifications to partners, community HTAs and hamlet councils, as well as stakeholders in advance of pre-publication of the proposed new regulation in Canada Gazette, Part I on December 23, 2023. This 30-day public comment period was closed on January 22, 2024. One comment was received which was supportive of protection.