



NIRB Application for Screening #125814

Establishment of Tallurutiup Imanga National Marine Conservation Area

Application Type: New

Project Type: Other

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Period of operation: from 0001-01-01 to 0001-01-01

Proposed Authorization: from 0001-01-01 to 0001-01-01

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DETAILS

Non-technical project proposal description

English: Steps are being taken to prepare for establishing Tallurutiup Imanga National Marine Conservation Area (TINMCA) in legislation (add to Schedule 1 under the Canada National Marine Conservation Areas Act (CNMCAA, 2002). As a result, this document has been prepared to address the requirements of the Cabinet Directive on the Environmental Assessment of Policy, Plan and Program Proposals (2010) as well as Sections 76(1) and 174(1) of the Nunavut Project Planning and Assessment Act (NuPPAA). A strategic environmental assessment (SEA) is conducted on all establishment proposals for National Parks and National Marine Conservation Areas under legislation, with the objective of supporting environmentally-sound decision making. Under NuPPAA, the establishment of TINMCA requires a submission to the Nunavut Planning Commission for a conformity determination, followed by a Screening by the Nunavut Impact Review Board. Tallurutiup Imanga (Lancaster Sound) is a natural and cultural seascape that is one of the most significant ecological areas in the world. The region supports the traditional use of five Inuit communities in the area including Grise Fiord, Resolute Bay, Arctic Bay, Pond Inlet and Clyde River. Communities use the area extensively and travel by boat or snowmobile to harvest fish, birds, seals and other marine mammals. National Marine Conservation Areas (NMCAs) are a type of marine protected area established for the purpose of protection and conserving representative marine areas for the benefit, education and enjoyment of the people of Canada and the world (CNMCAA s4(1)). NMCAs offer an array of ecological, cultural, social and economic benefits, including the provisions of ecosystem services and opportunities to pursue cultural practices and sustainable livelihoods. They are administered by Parks Canada under the CNMCAA, and managed collaboratively with others. The establishment of Tallurutiup Imanga National Marine Conservation Area is part of the NMCA System Plan to represent the Lancaster Sound marine regions, and protect examples of Canada's marine heritage for present and future generations. In 2009, a federal-territorial-Inuit agreement launched a joint study to determine the desirability and feasibility of establishing a national marine conservation area in Lancaster Sound. The Steering Committee, comprised of Parks Canada, the Government of Nunavut and the Qikiqtani Inuit Association (QIA), conducted consultation tours to gather information on ecological values, traditional knowledge, tourism opportunities, fisheries, marine transportation and potential hydrocarbon resources. All five communities expressed significant support for the establishment of an NMCA, and a boundary for the proposed TINMCA was announced in August 2017. Since that time, an Inuit Impact Benefit Agreement (IIBA) was negotiated (2019), and an Interim Management Plan is currently in draft form. Establishing the NMCA in legislation under the CNMCAA is in progress. Amendments to Schedule 1 to establish TINMCA under the CNMCAA will occur following the finalization of an interim management plan. An analysis of impacts from the establishment of TINMCA, including benefits, potential adverse impacts, and mitigation measures was conducted, focussing on the following changes that will result from NMCA establishment: changes to the legislative and regulatory regime; changes in policy, management tools, and legislated instruments; and changes in activities. The most significant changes in the management of the TINMCA area are expected to result from changes to the legislative and regulatory framework. The CNMCAA has multiple features that provide additional layers of protection for the marine ecosystem and coastal communities. These include prohibitions on mineral and hydrocarbon exploration and development, use or occupancy of land without authorization, restrictions on ocean dumping and provisions for ecologically sustainable use of marine resources, which can include commercial use. Further, the CNMCAA enables the creation of regulations on a number of topics to support the conservation and management of NMCAs. The first set of NMCA General Regulations under the Act is being developed and will provide regulatory tools that contribute to the management of natural and cultural heritage, visitor experience, land use, and activities such as commercial tourism, research and special events in NMCAs. The regulations will also support the implementation of zones within the boundaries of NMCAs that are designed to achieve protection and ecologically sustainable use goals. The establishment of TINMCA will change the applicability and implementation of territorial and other federal statutes currently in place. It is possible Tallurutiup Imanga may be established under the CNMCAA prior to NMCA-specific regulations coming into force. However, during the interim period, existing territorial regulations will continue to apply. The establishment of TINMCA will result in changes related to implementation of the Nunavut Project Planning and Assessment Act (NuPPAA). The NuPPAA will continue to apply to TINMCA after establishment, however Article 11 (Land use planning) of the Nunavut Agreement does not apply to NMCAs once legally established under the CNMCAA. As a result, the North Baffin Regional Land Use Plan (NBRLUP) will no longer apply within the TINMCA boundary. Upon establishment, the Nunavut Planning Commission's responsibilities for conformity will be assigned to Parks Canada, and conformity will be determined based on the requirements set out by or under any law for which Parks Canada is responsible (e.g. CNMCAA). The Parks Canada's Policy on the Establishment and Management of National Marine Conservation Areas, and Parks Canada's Directive on the Management of National Marine Conservation Areas, Interim Management Plan (IMP), future management plans, Inuit Impact and Benefit Agreement (IIBA), and other tools, such as temporary closures and voluntary measures will contribute to the management of the NMCA once TINMCA comes under the CNMCAA. These policy and

Activities

Location	Activity Type	Land Status	Site history	Site archaeological or paleontological value	Proximity to the nearest communities and any protected areas
Tallurutiup Imanga National Marine Conservation Area	Marine Based Activities	Crown	Tallurutiup Imanga is one of the most significant ecological areas in the world. It has been the home for Inuit for millenia. (See NMCA Proposal for Lancaster Sound pages 8-9)	Inuit of Tallurutiup Imanga, and the Qikiqtani region, are a coastal people, and have been so from time immemorial, with cultural values and identities intrinsically connected to our Arctic marine environment and wildlife. (TINMCA IIBA Preamble Part 1)	Grise Fiord, Resolute, Arctic Bay, Pond Inlet and Clyde River are all located in immediate proximity
Tallurutiup Imanga National Marine Conservation Area	Tourism Activities	Crown	As above	As above	As above
Tallurutiup Imanga National Marine Conservation Area	Researching	Crown	See marine based activities	See marine based activities	See marine based activities
Tallurutiup Imanga National Marine Conservation Area	Harvesting Activities	Crown	See marine based activities	See marine based activities	See marine based activities
Tallurutiup Imanga National Marine Conservation Area	Other	Crown	See marine based activities	See marine based activities	See marine based activities

Community Involvement & Regional Benefits

Community	Name	Organization	Date Contacted
Clyde River	organization representative	CLARC; HTO	2013-11-28
Clyde River	Community members	Community	2013-11-27
Pond Inlet	Council members; organization representatives; community members	Hamlet Council ; HTO/CLARC ; Community	2013-11-19
Iqaluit	Government and Non government organizations representatives; community members	Government departments ; Non government organizations ; Community	2013-12-02
Arctic Bay	community members	Community meeting	2013-11-22
Arctic Bay	HTO/CLARC representatives	HTO/CLARC	2013-11-23
Resolute Bay	Hamlet representatives; community members	Hamlet ; community	2013-11-20
Resolute Bay	HTA/CLARC representatives ; community members (teenagers)	HTA/CLARC ; community	2013-11-21
Grise Fiord	Hamlet/HTO/CLARC representatives ; community members	Hamlet/HTO/CLARC ; community	2013-11-25

Authorizations

Indicate the areas in which the project is located:

Transboundary
North Baffin

Authorizations

Regulatory Authority	Authorization Description	Current Status	Date Issued / Applied	Expiry Date
Fisheries and Oceans Canada	Existing DFO authorities will be applied in line with the national marine conservation area mandate and management direction.	Active		
Transport Canada	Existing TC authorities will be applied in line with the national marine conservation area mandate and management direction.	Active		
Parks Canada	Canada National Marine Conservation Areas Act. Once Tallurutiup Imanga is established/delegated under this Act, Parks Canada / National Marine Conservation Area policies, directives, management plans (in development) and regulations (in development) will apply.	Applied, Decision Pending		

Project transportation types

Transportation Type	Proposed Use	Length of Use
Water		

Project accommodation types

Community

Material Use

Equipment to be used (including drills, pumps, aircraft, vehicles, etc)

Equipment Type	Quantity	Size - Dimensions	Proposed Use
Information is not available			

Detail Fuel and Hazardous Material Use

Detail fuel material use:	Fuel Type	Number of containers	Container Capacity	Total Amount	Units	Proposed Use
Information is not available						

Water Consumption

Daily amount (m3)	Proposed water retrieval methods	Proposed water retrieval location
0		

Waste

Waste Management

Project Activity	Type of Waste	Projected Amount Generated	Method of Disposal	Additional treatment procedures
Information is not available				

Environmental Impacts:

See Strategic environmental assessment TINMCA establishment

Additional Information

SECTION A1: Project Info

SECTION A2: Allweather Road

SECTION A3: Winter Road

SECTION B1: Project Info

SECTION B2: Exploration Activity

SECTION B3: Geosciences

SECTION B4: Drilling

SECTION B5: Stripping

SECTION B6: Underground Activity

SECTION B7: Waste Rock

SECTION B8: Stockpiles

SECTION B9: Mine Development

SECTION B10: Geology

SECTION B11: Mine

SECTION B12: Mill

SECTION C1: Pits

SECTION D1: Facility

SECTION D2: Facility Construction

SECTION D3: Facility Operation

SECTION D4: Vessel Use

SECTION E1: Offshore Survey

SECTION E2: Nearshore Survey

SECTION E3: Vessel Use

SECTION F1: Site Cleanup

SECTION G1: Well Authorization

SECTION G2: Onland Exploration

SECTION G3: Offshore Exploration

SECTION G4: Rig

SECTION H1: Vessel Use

SECTION H2: Disposal At Sea

SECTION I1: Municipal Development

Description of Existing Environment: Physical Environment

From attached document: NMCA Proposal for Lancaster Sound -Feasibility Assessment Report (see pages 8-9 for more detail).Ice is the predominant feature of the Arctic marine environment, and ice related habitats are prevalent during most of the year. Recurring polynyas and shore leads – areas of open water surrounded by sea ice – play a crucial role in Arctic marine ecosystems. The result of various combinations of currents, tides, upwelling and winds, polynyas permit ice edge ecosystems to develop based on intense primary production by algae within the ice itself and of phytoplankton (microscopic marine plants) stimulated by the greater intake of light energy in the spring in the adjacent open waters. These ice or floe edges are biological ‘hotspots’, attracting fish, birds and marine mammals, and serving as hunting platforms for both animals and humans.

Description of Existing Environment: Biological Environment

From attached document: NMCA Proposal for Lancaster Sound -Feasibility Assessment Report (see pages 8-9 for more detail).This area is one of the most productive areas in the Circumpolar Arctic. The abundant productivity has far reaching consequences for the Eastern Arctic as a whole. The currents in Lancaster Sound convey food over a much wider area, leading to large aggregations of a broad range of marine mammals, seabirds and other species which depend on the area for their survival.

Description of Existing Environment: Socio-economic Environment

From attached document: NMCA Proposal for Lancaster Sound -Feasibility Assessment Report. Inuit culture (pages 8-9): The importance and influence of this nutrient-rich area extends out for thousands of kilometres and in turn ensures the survival of Inuit culture and the ability of Inuit to sustain their traditional ways of life in the High Arctic. Tourism (pages 29-31): The Lancaster Sound region has a number of key tourism attractions, such as the Northwest Passage, the stunning natural landscapes of Sirmilik National Park, Nirjutiqarvik National Wildlife Area on Coburg Island, Prince Leopold Island Migratory Bird Sanctuary, Beechey Island Sites National Historic Site and Cunningham Inlet. There are also many opportunities for world class wildlife viewing and to learn about Inuit culture, history and Arctic marine natural heritage. Fisheries (page 32-33): The fishing industry, including both subsistence and commercial fisheries, has continued this rich heritage into the modern era as a fundamental aspect of the health and well-being of the people of Nunavut (Nunavummiut). Shipping (pages 34-35): With with summer sea ice retreating as a result of climate change, more vessels are coming to the region.

Miscellaneous Project Information

1. Please note that the consultations section identifies the timing for key consultations regarding the feasibility of an NMCA as they were pivotal in deciding to move forward on creating a national marine conservation area. Since that time there have been consultations and negotiations regarding the final boundaries for the NMCA and the IIBA (signed in 2019). Consultations with the 5 Tallurutiup Imanga communities to discuss the Interim Management Plan (IMP) (in development) were conducted in 2018 and 2019 and further consultations are planned in 2024. The results of those

consultations will be included in the completed IMP. Consultations are currently ongoing regarding a Research and Monitoring Strategy with meetings in 4 out of 5 communities in March and June 2023 with consultation with the 5th community planned for September. The joint Inuit-Canada management structure for Tallurutiup Imanga ensures that there will be ongoing Inuit/community involvement in the management of the NMCA.² It is difficult to see the details of the Tallurutiup Imanga boundary through the mapping program on the NIRB website. Map sheets are attached showing these boundary details including the areas that are not included in the NMCA (e.g. areas immediately adjacent to the communities, islands larger than 400 hectares).³ The assessment for the establishment of Tallurutiup Imanga National Marine Conservation Area under the Canada National Marine Conservation Area is strategic in nature as it is not possible to identify all possible physical works or activities that may occur in the future. Proposals for physical works / activities will be assessed individually for status as a project under NuPPAA (as per the NuPPAA definition) and referred to NIRB for screening as required. As per NuPPAA S.163, Parks Canada will replace the Nunavut Planning Commission as the authority responsible for conformity reviews within Tallurutiup Imanga, using requirements set out by or under any law for which it is responsible. The provisions of the Canada National Marine Conservation Areas Act, the Inuit Impact and Benefit Agreement as well as management direction for Tallurutiup Imanga will aid in assessing whether adverse impacts to S. 90(a) to (i) factors are manifestly insignificant. While the NIRB may expect to see fewer screenings associated with small scale tourism activities (e.g. individual outfitter activities that fall within an established threshold for non-significant impacts), it would still receive project proposals that: have regional impacts (e.g. cruise ships); require long term infrastructure / land occupancy (e.g. fibre optic cables); involve sensitive resources (areas zoned for strict protection); or involve activities for which the potential adverse impacts are unknown or exceed acceptable limits for being considered manifestly insignificant. In addition, the NIRB can expect to receive proposals that may be considered non-conforming but for which the responsible authority does not have the requirements under law to reject. Sections 6.1.3 and 8 of the SEA provide additional information in application of NuPPAA and monitoring potential impacts.

Identification of Impacts and Proposed Mitigation Measures

The review of desirability of establishing a national marine conservation area in this area, its benefits, impacts, and mitigation to address impacts are detailed in attached documents particularly in: NMCA Proposal for Lancaster Sound - Feasibility Report; Strategic environmental assessment TINMCA establishment final; and TINMCA IIBA. These documents are available in English and Inuktitut. Key points from these documents are highlighted here. The NCMA Proposals for Lancaster Sound – Feasibility Assessment Report concluded that the establishment of a national marine conservation area in Lancaster Sound is an investment worth pursuing for the benefit of present and future generations, and one that would produce in this region a new relationship between Canada and Inuit that is in the national interest and of international significance (pages 47-55). The key features for NMCA are identified in section 2 (Project Description) of the strategic environmental assessment (SEA):

- Established and managed for the purpose of protecting and conserving representative marine areas for the benefit, education and enjoyment of Canadians and the world.
- Multi-use areas which balance protections and ecologically sustainable use through management and zoning.
- Oil, gas, mineral and aggregate exploration and development are prohibited.
- Prohibitions on land use without authorization
- Ocean dumping restrictions
- Commercial uses, including shipping and fishing, must be ecologically sustainable; may be prohibited in fully protected zones.
- Inuit harvesting rights are not affected.
- Joint Inuit-Canada management through Aulattiqatigiit Board ensuring Inuit involvement in decisions in area management.

Impacts: Section 6 of the SEA addresses changes to the legislative and regulatory framework (S6.1 and Appendix 1) and policy and management tools (S6.2 and Appendix 1) that will occur with the establishment of the NMCA. Section 6.3 covers how vessel transits, tourism, commercial shipping, commercial fisheries and other activities such as Government operations, energy projects, research, underwater communication cables, etc., may be affected. NMCA statutory tools and management direction will work to match the ecological resilience of areas within the NMCA with compatible activities. This will support the continuation of activities in the long term without compromising the structure and function of ecosystems, providing an overall positive benefit. The prohibition of hydrocarbon, mineral and aggregate exploration and development will limit those opportunities for economic development within Tallurutiup Imanga but given the existing prohibitions on oil and gas activities in Canada's Arctic marine areas, long term prohibitions are considered a positive impact. The potential negative impacts of individual projects taking place within the area will be assessed through NuPPAA processes.

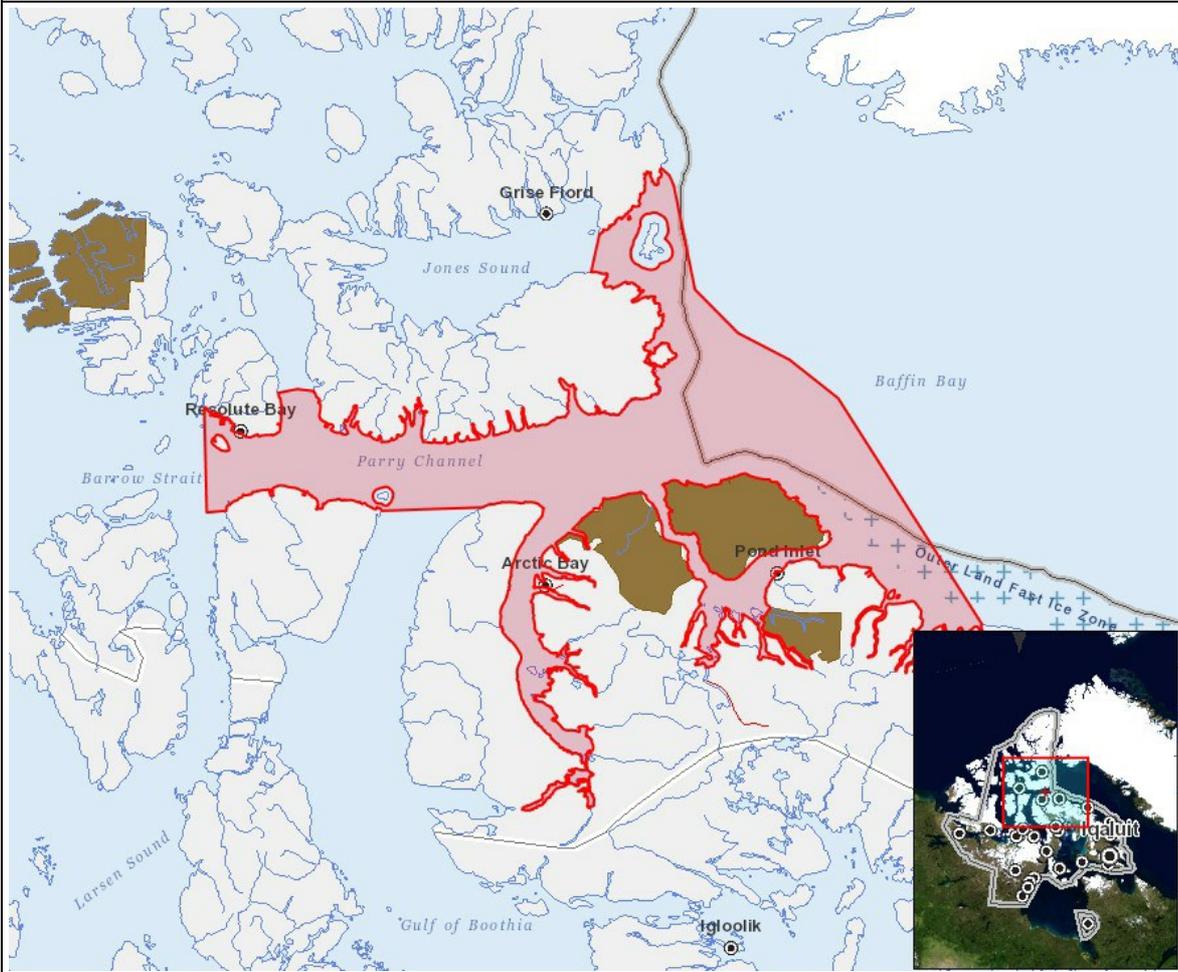
Mitigation (details may be found in SEA section 6 and TINMCA IIBA): The proposed boundaries of the NMCA went through a number of changes; the final negotiated boundaries exclude areas where the mandate and objectives were considered to be too restrictive such as areas immediately adjacent to the communities of Resolute, Pond Inlet and Arctic Bay, and the Milne and Nanisivik port areas. The NMCA does not extend as far as Clyde River, leaving the potential for some oil and gas activity in that area should the moratorium be lifted. Potential impacts to Inuit with the establishment of a NMCA have been addressed through the negotiation of the Tallurutiup Imanga IIBA. The creation of a joint Inuit-Canada management board, the Aulattiqatigiit Board, is a key requirement to ensure that Inuit, with the use of Inuit Qaujimagatuqangit, are actively involved in the management of Tallurutiup Imanga (Article 5 of the IIBA details the Aulattiqatigiit Board responsibilities). As identified in section 6.3 of the SEA, a zoning framework will be developed to identify the purpose and objectives of each zone and allowable uses to avoid compromising ecological and cultural sustainability. The IIBA also identifies requirements relating to specific activities such as the development of commercial fisheries (Article 16), research (Article 13) and marine shipping management collaboration (Article 10). Mitigation for projects and activities with potential negative impacts will be determined through the NuPPAA reviews

and in alignment with NMCA purpose and objectives. Benefits (SEA section 7 and IIBA): The IIBA also identifies key benefits that the NMCA will bring to the adjacent communities in addition to the joint management structure. These include business and employment opportunities for Inuit (IIBA Articles 14 and 15), development of an Inuit Stewardship Program (IIBA Article 9), and construction of supporting infrastructure in the NMCA communities. Over 7 years \$54,830,000 is being invested for the benefits identified in the IIBA.

Cumulative Effects

The anticipated long-term environmental and socio-economic outcomes resulting from the establishment of TINMCA will provide a net benefit. The legislative and regulatory framework, policy and management tools, and governance structure will provide an effective, multi-layered approach for achieving ecosystem and socio-economic benefits and mitigating potential impacts. Establishment of TINMCA will have no significant adverse effects on the ecosystem or Inuit harvesting activities; it will have no significant adverse socio-economic effects and will enhance and protect the existing and future well-being of Inuit. The IIBA addresses all matters connected with the NMCA that could have a detrimental impact on Inuit or that could reasonably confer a benefit on Inuit.

Project Location



List of Project Geometries

1	polygon	Tallurutiup Imanga National Marine Conservation Area
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