



September 6, 2023

Kelli Gillard
Manager, Project Monitoring
Nunavut Impact Review Board
P.O. Box 1360,
Cambridge Bay, NU X0B 0C0

via e-mail: info@nirb.ca

Re: Parks Canada Response to Intervene Comments on the “Establishment of Tallurutiup Imanga National Marine Conservation Area” Proposal.

Dear Mrs. Gillard,

Parks Canada appreciates the time and thought that went into the comments submitted by Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC), the Government of Nunavut (GN) and Baffinland Iron Mines Corporation during the public commenting period of the NIRB screening process. The response to the comments is provided in this letter and the following table and can be considered an appendix to the Strategic Environmental Assessment.

First, we would like to highlight that with respect to the Mary River Project activities, the waters at the head of Milne Inlet, including Milne Port, south of Koluktoo Bay, are excluded from the boundary of Tallurutiup Imanga National Marine Conservation Area (TINMCA), as requested by Baffinland Iron Mines Corporation during the Feasibility Assessment. As indicated in the National Marine Conservation Area Policy and Directive, a range of activities such as commercial, fishing, tourism, shipping, and land use including coastal and in-water infrastructure, can take place in NMCAs if managed and used in a manner that meets the needs of present and future generations without compromising ecological sustainability in accordance with the *Canada National Marine Conservation Areas Act* (CNMCAA).

Secondly, this application is strategic in nature as it concerns the establishment of TINMCA which is not a straightforward physical work or physical activity. The establishment of a new NMCA is a long process and generally follows a five-step process:

1. identification of a potential site
2. selection of a potential site
3. assessment of whether an NMCA is feasible (through a feasibility assessment report)
4. negotiation of the required agreements (e.g., Inuit Impact and Benefit Agreement (IIBA); and finally,
5. designation under legislation (specifically, an amendment to add a description of the NMCA boundary to the schedule 1 of the *CNMCAA*).

Step 4 was completed with the signing of the TINMCA Inuit Impact and Benefit Agreement (IIBA) on August 1, 2019, by the Government of Canada (GoC: Parks Canada, Department of Fisheries and Oceans, Transport Canada) and the Qikiqtani Inuit Association (QIA). To complete step 5, a conformity review by the Nunavut Planning Commission and a screening by the Nunavut Impact Review Board is required. In this process, the comments received included several questions regarding the Interim Management Plan (IMP). As IMPs provide short term guidance and are replaced by future management plans that adapt to contemporary conditions, Parks Canada does not consider the detail of the TINMCA IMP contents essential for this screening on the establishment of TINMCA. Please note that the TINMCA IMP development is underway with two rounds of rights holders' and stakeholders' consultation in 2019 and with further consultations anticipated for early 2024. We welcome interested parties to ask those specific questions as part of the continued consultation process for the IMP.



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Parks Canada looks forward to receiving the Board's screening decision report. If there are questions regarding the information provided here, please do not hesitate to contact me at marie-claude.martel@pc.gc.ca or 581-398-3621.

Sincerely,

MC Martel

Marie-Claude Martel
Impact Assessment Specialist, Natural Resource Conservation Branch
Parks Canada

cc. Amal Roy, Crown-Indigenous Relations and Northern Affairs Canada
Annie Cyr-Parent, Government of Nunavut
Megan Lord-Hoyle, Baffinland Iron Mines Corporation

Comment number	Intervenor Comments	Parks Canada Answers
CIRNAC-1 GN-2, GN-3	<p data-bbox="350 224 680 248">Cumulative negative effects</p> <p data-bbox="350 313 999 553">CIRNAC recommends that the proponent identifies potential cumulative impacts that may result from the designation of the TINMCA and whether current mitigation strategies consider potential paradigm shifts related to Arctic tourism in the future (e.g., reduced development barriers from investments in tourism infrastructure, simplified government permitting, reduced travel costs to the region).</p> <p data-bbox="350 589 999 951">The Government of Nunavut suggests that PCA revise Section 6 to encompass potential effects on the development of coastal and in-water infrastructure, as well as a description of the process required to develop such infrastructure when Parks Canada is the responsible authority for the area. Additionally, it's advised to consider the possible indirect consequences and potential obstacles for land-based activities outside TIMNCA requiring water access within TINMCA. This should be accompanied by inclusion of any relevant mitigation measures to address this impact to future development projects.</p> <p data-bbox="350 987 999 1195">The Government of Nunavut suggests that PCA revise Section 6 to include in its analysis the consideration of potential impacts of increased tourism in the area that may occur once the NMCA is established. This should be accompanied by an inclusion of any relevant mitigation measures of proposed management planning actions to address this impact.</p>	<p data-bbox="1037 224 1875 431">As noted in the CIRNAC comments, there are potential paradigm shifts related to Arctic tourism in the future. For example, changing climatic conditions, improved support services (including infrastructure), and reduced travel costs in the Arctic could improve accessibility, opening the door to more tourism activities in addition to resource development opportunities. The latter could involve projects requiring marine access corridors as well as marine-based projects.</p> <p data-bbox="1037 467 1787 492"><i>Adverse Cumulative Effects of Increased Tourism and Shipping</i></p> <p data-bbox="1037 500 1887 581">An increase in tourism (pleasure boating, cruises, whale watching, kayaks) as well as overall shipping, as a result of establishing the NMCA could generate several potential adverse effects.</p> <ul data-bbox="1037 589 1894 1414" style="list-style-type: none"> <li data-bbox="1037 589 1894 1040">• A lengthening of the shipping and touristic season could have direct and indirect adverse effects on marine wildlife and birds (there are several marine and terrestrial key migratory bird habitat areas within Tallurutiup Imanga). Even if marine mammals are not generally targeted by marine users, the various types of boats, commercial or pleasure, motorized or not, may disturb them by their presence and by emitting underwater noise. These effects are cumulative and can lead to the disruption or interruption of important behaviours, such as feeding, caring for young or resting, or to chronic stress. These impacts could result in a decline in abundance of marine mammal populations, individual displacement, reduced reproductive success and ultimately to the discontinuation of Inuit cultural practices. The impact of sea kayaks is lower because they are silent, however they are not without impact when their presence disturbs marine mammals, Inuit activities or when visiting the more sensitive sites. <li data-bbox="1037 1049 1545 1073">• Increase in greenhouse gas emissions. <li data-bbox="1037 1081 1864 1227">• Addition of potential vectors of invasive species. Regionally based vessels are less likely to introduce new species. In addition, cruise and tourism vessels are less likely to have significant ballast exchange and therefore have reduced risk as potential vectors of invasive species. <li data-bbox="1037 1235 1709 1260">• Disruption of Inuit cultural practices on water and ice. <li data-bbox="1037 1268 1839 1325">• Increase of conflicts between tourism activities and other NMCA users. <li data-bbox="1037 1333 1894 1414">• Without improvements to support services, increased burden on communities to support tourism needs (e.g., increased generation of waste, food, gas or lodging availability).

		<ul style="list-style-type: none"> • Increase in inappropriate behaviour by NMCA users can impact wildlife, visitor experience in Tallurutiup Imanga and Inuit cultural practices. <p><i>Adverse Cumulative Effects to Coastal and In-water Infrastructure and Terrestrial Development</i></p> <p>Hydrocarbon, mineral and aggregate exploration and exploitation are prohibited in national marine conservation areas. Coastal and in-water infrastructure will require Parks Canada authorization and will be subject to zoning plan restrictions. Activities and infrastructure occurring with the NMCA will be expected to be ecologically sustainable and some activities may require permits (e.g., research).</p> <p><i>Cumulative Effects Mitigation</i></p> <p>Mitigation discussed here is predominantly strategic in nature as the analysis of adverse effects, the mitigations employed and the approach to managing the NMCA will change over time. The joint Inuit-Canada governance structure where Inuit Qaujimajatuqangit, Inuit principles and priorities play a key role in decision-making, as described the TINMCA IIBA, are an integral part of how TINMCA is managed. For instance, the Aulattiqatigiit Board, will have at his disposal a wide range of management tools and directives to assess and mitigate project proposals and their cumulative effects. The Nunavut Agreement, the CNMCAA, the TINMCA IIBA, existing Federal and Territorial regulations and policies, the National Marine Conservation Area Policy and Directive and the implementation of the <i>Nunavut Project Planning and Assessment Act</i> (NuPPAA) Framework within TINMCA are some of the management tools that already exist and will support the management of TINMCA.</p> <p>Regular consultations with the communities associated with TINMCA is another key component in the management of activities and the mitigations of their cumulative effects. The governance structure for TINMCA is adaptive to change (e.g., climate change) and will develop new or revise existing management tools to manage activities and mitigate cumulative effects. Some of these management tools and directives are further described below.</p> <p>While a strategic assessment cannot identify mitigation measures for potential projects in the future, it can identify some of the parameters that will be taken into consideration for the management of the area. The Canada National Marine Conservation Areas Act (CNMCAA) (S. 4(3)) requires the NMCA to be “<i>managed and used in a sustainable manner</i>”</p>
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		<p><i>that meets the needs of present and future generations without compromising the structure and function of the ecosystems, including the submerged lands and water column, with which they are associated in a way that ensures sustainable development.”</i> The subsequent paragraphs present some of the tools in place to aid the joint management partners in meeting this legislated requirement over time.</p> <p>Long-term monitoring programs, including Inuit Qaujimagatuqangit, will be put in place to monitor NMCA ecosystems and, where required, the effectiveness of management activities. Management plans are a key tool to guide management of the NMCA and are reviewed every 10 years (CNMCAA 9(2)). Plan reviews consider the results of the monitoring programs and include a strategic environmental assessment. In determining management priorities for the following 10 years, changing perceptions, understanding of NMCA uses and the requirements for long-term protection, and priorities are taken into consideration. There is a public consultation component to the development of management plans, enabling regional perspectives to be assessed. The joint management structure for Tallurutiup Imanga is designed to ensure the community and Inuit perspectives are built into the plan and area management. As a result, the TI NMCA management plans will be a key tool to help manage cumulative effects at a fine scale. The plan, including a zoning framework, will aid proponents in the development of ecologically sustainable project proposals.</p> <p>On a shorter time scale, the Policy on the Establishment and Management of National Marine Conservation Areas, the Directive on national marine conservation areas and numerous other authorities’ regulatory tools will be in place to manage issues requiring immediate attention. (e.g., if there is a requirement to limit the location of tourism activities to avoid compromising the structure and function of ecosystems).</p> <p>From an administrative perspective, Parks Canada will work with other regulatory authorities to avoid extra administrative burden on proponents (e.g., cruise ship tourism). It is acknowledged this collaboration will increase over time.</p> <p>Individual project proposals such as new infrastructure projects and terrestrial or marine activities will be assessed on a case-by-case basis. Projects with activities occurring both inside and outside the national marine conservation area will be subject to a NuPPAA conformity review</p>
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		<p>by both the Nunavut Planning Commission (activities outside the NMCA) and the joint management board (activities inside the NMCA). Without knowing what coastal or in-water infrastructure may be eventually proposed, it is not possible to identify relevant mitigation measures. Regarding access to land-based project activities, it should be noted that any shipping or infrastructure restrictions within the NMCA would not be arbitrary, rather they would be designed to protect a valued component. Note that shipping, including commercial shipping, is not generally prohibited within a national marine conservation area. It is also important to note that TINMCA is not directly adjacent to the communities so that any future community-based coastal development will be outside Parks Canada's jurisdiction.</p> <p>Other Federal Authorities (i.e., Canadian Coast Guard and Transport Canada) maintain, as they do currently, their authorities in the NMCA and continue to undertake their management responsibilities consistent with the CNMCAA, policies, management plan and other legislation, regulations, policy instruments and legal agreements, including the TINMCA Inuit Impact and Benefit Agreement.</p> <p>It is also recognized that increasing visitation may have beneficial effects. Increased revenue and enhanced knowledge, understanding and appreciation of the site and its role in Canada's heritage would be considered beneficial effects. In Tallurutiup Imanga the beneficial effects could be significant as NMCA policies and TINMCA IIBA encourage local business growth while protecting natural and cultural heritage. Increasing opportunities for local visitation, educational groups and youth discovery programs would increase awareness of, and connection to, Tallurutiup Imanga at local, regional, and national levels. Other visitor opportunities can be diversified and increased through partnerships with tour operators, local businesses, and other organizations (e.g., cultural workshops, guided activities, citizen science). Inuit and local employment with Parks Canada will be maintained or increased, and Inuit could see Tallurutiup Imanga as a place where economic opportunities can be pursued and realized (e.g., tour operators, contractors, Parks Canada and the QIA's Nauttiqsuqtiit (Inuit stewardship program)).</p> <p>Finally, below are some examples from other marine protected areas where Parks Canada has management responsibilities:</p> <ul style="list-style-type: none"> • In Saguenay-Saint-Lawrence marine park, there is a quota on commercial whale-watching boats and a speed limit in busy areas.
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CIRNAC-2	<p>CIRNAC recommends that the proponent:</p> <ul style="list-style-type: none"> • Continues consulting with relevant interested Inuit, hamlets, and community organizations, prioritizing those in Clyde River, Pond Inlet, Arctic Bay, Resolute Bay, and Grise Fiord; • Provides regular updates on the status of project activities to relevant interested Inuit, hamlets, and community organizations; and • Considers engaging with affected, adjacent, transboundary Indigenous groups who may have an interest in the project. 	<p>Parks Canada thanks CIRNAC for, and agrees with, the recommendations regarding the need for ongoing consultation. As mentioned in the response to the GN-1 recommendation, there are numerous requirements for consultation built into the management of a NMCA. TINMCA Governance structure under the IIBA identifies specific requirements for engaging Inuit, including public access to Aulattiqatigiit Board meetings.</p> <p>More specifically:</p> <p><u>Aulattiqatigiit Board (AB):</u> Is a joint Inuit (QIA) and Government of Canada (PC, DFO and TC) management board. The purpose of this board is to make consensus-based decisions and recommendations on matters related to TINMCA, to guide management of TINMCA and implement the items outlined in the TINMCA IIBA. The members of the AB have been working together to initiate the operationalization of TINMCA and implement the IIBA.</p> <p><u>Inuit advisory committee (IMAQ)</u> Is the mechanism for QIA to gain perspectives of Inuit in TINMCA Communities as well as to support QIA in the delivery of IIBA benefits and implementation of the IIBA.</p> <p><u>Inuit Stewardship Program</u> Supports stewardship activities of Inuit within TINMCA that will make valuable contributions to the promotion of Inuit culture, well-being, the transmission of knowledge to youth, and the delivery of Inuit cultural, social, economic, health and conservation benefits.</p> <p><u>Inuit Research and Monitoring Fund</u> Supports community research and monitoring activities that will be facilitated, upon request, by Parks Canada.</p>

		Further, the TINMCA co-management structure always consults with the associated communities in the development of programs and strategies related to the NMCA (e.g., IMP, Research and Monitoring Strategy, Cultural Resource Management Strategy, etc....).
GN-1 BIMC-1	<p>Interim Management Plan</p> <p>It is recommended that the Consultation Plan ensures all stakeholders are kept informed about the progress in shaping TINMCA's design, including proposals regarding zoning locations and supporting management measures. Providing this awareness of how TINMCA will be planned and managed will allow stakeholders to be better informed on where there are potential positive and negative impacts.</p> <p>The application materials filed on August 2, 2023, by Parks Canada are incomplete (the Application). Some high-level general details of measures that may be applied in National Marine Conservation Areas are provided. But the interim management plan (including a preliminary zoning plan) for the TINMCA will provide the specific details and Parks Canada indicates that the interim management plan is currently being prepared by the Governments of Canada and Nunavut, and QIA. While the Application indicates "... <i>an Interim Management Plan is currently in draft form</i>," this draft has not yet been made publicly available or provided to NIRB as part of the Application, and our understanding is that public consultation on the Interim Management Plan has yet to be carried out. The NIRB should suspend its screening of the TINMCA until after the draft zoning and Interim Management Plan is released and made available for comment, given that the Interim Management Plan includes details that are important considerations for the public and for the NIRB screening process.</p>	<p>The TINMCA Planning Committee, made up of representatives from QIA, the Government of Nunavut, and Parks Canada, is the body responsible for writing the interim management plan, including the interim zoning plan. To inform the plan, the Planning Committee has conducted extensive ongoing consultations with affected communities and key stakeholders since 2018. The current draft interim management plan and interim zoning plan under discussion reflect the feedback received to date and have taken into consideration the current project certificate that guides the Baffinland Iron Ore operations within the marine areas.</p> <p>It is important to recognize that management direction, including zoning plans, will change over time and adjust to the contemporary needs for managing the NMCA for present and future generations. The TINMCA management structure (AB, IMAQ) and community consultation are key components of the management of TINMCA (see roles of Inuit Qaujimajatuqangit as described in the IIBA). Further, TINMCA is also managed in accordance with the Nunavut Agreement, CNMCAA, IIBA, NMCAs Directives and policies that provide key guidance.</p> <p>The work underway on the interim zoning plan will reflect the immediate and short-term expectations for the NMCA. The consultations being planned will ensure that stakeholders have a voice in the interim plan.</p> <p>The strategic nature of this screening must allow for flexibility in managing the NMCA in the long term. This flexibility is necessary because consultations with Inuit, communities and stakeholders will always be a component in the development of management plans. The effectiveness of NMCA management may be tracked through the reporting on IIBA and management plan implementation. The NuPPAA process also provides opportunities for parties to provide input into the review of individual projects.</p>
BIMC-2	The Application includes reference to the TINMCA IIBA. How many full time, paid jobs for Inuit will be established by Parks Canada under the TINMCA IIBA	As per Article 23 of the Nunavut Agreement, Parks Canada continues to work to increase Inuit participation in government employment to a representative level. Article 14 of the TINMCA IIBA provides specific

	<p>once the TINMCA is in place? What specific steps will Parks Canada take to ensure those jobs are fulfilled? What training programs will be made available to these individuals? What penalties are in place under the TINMCA should Parks Canada fail to keep those jobs filled? What steps are Parks Canada taking to ensure there are opportunities for advancement by Inuit, should they decide they wish to advance from entry level positions under the TINMCA IIBA to positions with greater responsibility?</p>	<p>direction for Tallurutiup Imanga.</p> <p>The joint Inuit-Canada management board, the Aulattiqatigiit Board, is involved in implementing IIBA obligations, while Nunavut Tunngavik Incorporated monitors Government of Canada compliance with the Nunavut Agreement. The Inuit Employment Plan for Parks Canada is currently being updated to reflect changes in Parks Canada's organizational structure to address the additions of Qausuittuq National Park, Wrecks of <i>HMS Erebus</i> and <i>HMS Terror</i> National Historic Site and the anticipated addition of Tallurutiup Imanga National Marine Conservation Area.</p> <p>Articles 18 to 20 of the IIBA provide direction for the implementation of the IIBA, its review and dispute resolution. A fixed number of employees within Parks Canada cannot be provided as Tallurutiup Imanga will not operate completely independently from other Parks Canada protected heritage areas and numbers will fluctuate over time. (e.g., through development of programs or special program funding that may provide shorter term employment opportunities). As a general idea, based on employment statistics as of June 30, 2023, 63% of all Parks Canada staff in Nunavut are Inuit, including managerial positions and two Inuit Manager Trainees hired as per TI IIBA.</p> <p>Employment opportunities for Tallurutiup Imanga will not be restricted to Parks Canada positions. As identified in section 7 of the Strategic Environmental Assessment, there are some Inuit specific considerations in the IIBA, such as the Inuit Stewardship Program (Nauttigsuqtiit) and Inuit Advisory Committee.</p> <p>Please refer to TINMCA IIBA (included as an attachment to the original screening submission) for more details.</p>
BIMC-3	<p>Based on the Application, Parks Canada is currently developing regulations that may bear significantly on how the TINMCA area is managed. Before the NIRB screening is complete, Parks Canada should provide further specific details of the draft regulations under consideration and how they may specifically apply to and impact new project proposals and modifications of existing proposals within TINMCA.</p>	<p>Work on developing general regulations for NMCAs is underway. The summary papers submitted with the screening information (also available at: https://www.letstalknmcas.ca/) describe the proposed areas to be addressed through regulations. The results of the recent consultation process need to be assessed prior to further development. Further opportunity for commenting will occur through prepublication in Canada Gazette, Part I in 2024.</p> <p>However, information already outlined in legislation and policy may assist with understanding how activities within the NMCA will be managed:</p> <p>The <i>Canada National Marine Conservation Areas Act</i> (CNMCAA) (S.</p>

		<p>4(3)) requires the NMCA to be “<i>managed and used in a sustainable manner that meets the needs of present and future generations without compromising the structure and function of the ecosystems, including the submerged lands and water column, with which they are associated in a way that ensures sustainable development.</i>”</p> <p>The Policy on the Establishment and Management of National Marine Conservation Areas, the Directive on the management of national marine conservation areas, IIBA, management plans, etc. provide progressively more detailed guidance for how activities within the NMCA will be managed and used in accordance with the CNMCAA.</p> <p>The NMCA regulations, when completed, will be instruments of legislative power that can be used to manage activities specific to the context and environment of the NMCA in addition to existing legislation, e.g., through the Canada Shipping Act and Fisheries Act.</p> <p>Note that the waters at the head of Milne Inlet, including Milne Port, are excluded from the boundary of TINMCA and NMCA Regulations will not apply to those land/waters. In keeping with the policy, activities such as commercial shipping and land use, including coastal and in-water infrastructure, are allowed in NMCAs, if managed and used in a manner that meets the needs of present and future generations without compromising ecological sustainability. The proposed regulations are being developed in alignment with that policy direction.</p>
BIMC-4	<p>Based on the Application, Parks Canada anticipates that it will assume responsibility for issuing conformity determinations and NIRB referrals for project proposals within TINMCA after the TINMCA is established. See for example:</p> <p><i>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</i></p>	<p>The conformity review process is outlined in the figure below. There will be oversight through the joint Inuit-Canada Operations Committee and the Aulattiqatigiit Board. The Aulattiqatigiit Board will be directly involved with the conformity review of major projects. Conformity reviews are supported by statutory and policy tools, including management plans and management directives, for which Parks Canada is responsible.</p> <p>Parks Canada is only responsible for the review of activities occurring within the boundaries of the NMCA (NuPPAA S 171 (b)). The Nunavut Planning Commission is responsible for reviewing activities outside Parks Canada protected heritage areas. Parks Canada and the Commission will submit separate referrals to the NIRB as it is possible that there may be different conformity decisions.</p> <p>For example, a transboundary oil and gas exploration project may receive a positive conformity review for activities outside the NMCA, but a negative review for the activities inside the NMCA since oil and gas</p>

	<p><i>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).</i></p> <p>Can Parks Canada please provide further specific details as to how it will determine conformity of project proposals with TINMCA before referral to NIRB, including applicable policies and timelines. How will subjective or objective criteria will be applied in making such determinations? Who will provide conformity determinations and NIRB referrals if a project proposal includes component activities and/or infrastructure both within and outside the TINMCA?</p>	<p>exploration is prohibited under the CNMCAA. The timeline will be 45 days, although the clock may be paused if additional information is required for the review. The proponent will be notified if additional time is required for the conformity review.</p>
BIMC-5	<p>The Mary River Project relies in part on shipping through some waterbodies that will eventually be TINMCA waters, if established under the <i>National Marine Conservation Areas Act</i>. We also refer NIRB to our previous submissions on the establishment of TINMCA (attached).</p> <p>In Section 6.3.3 of the 38 page "Project Proposal and Strategic Environmental Assessment" (SEA) provided with the Application, the Mary River Project is mentioned and Parks Canada confirms that "<i>The existence of a national marine conservation area will not preclude commercial shipping.</i>" Our understanding based on the Application is that Parks Canada continues to be of the view that establishment of TINMCA will not impact or restrict the current or future operations of the Mary River Project and related shipping, activities or infrastructure</p>	<p>Approved Mary River Project-related shipping, activities, and infrastructure occurring within Tallurutiup Imanga will be incorporated into management and zoning plans.</p> <p>Parks Canada and the Aulattiqatigiit Board cannot predetermine future project activities as it is unknown what they may entail.</p> <p>Joint management partners (TC, DFO and QIA), communities, and stakeholders will have input into future NMCA management direction. All parties will work to comply with S. 4(3) of the CNMCAA which requires the NMCA to be "<i>managed and used in a sustainable manner that meets the needs of present and future generations without compromising the structure and function of the ecosystems, including the submerged lands and water column, with which they are associated in a way that ensures sustainable development.</i>"</p> <p>Also refer to BIMC-3 answer.</p>
BIMC-6	<p>The SEA also includes the following statement, "<i>Inuit have expressed concerns regarding the effects of increased vessel traffic on cultural sustainability and a perceived lack of oversight.</i>" The robust oversight of shipping activities by Transport Canada's comprehensive regulatory framework and internal experts should be explained, recognized and respected.</p>	<p>The other Federal Authorities (such as the Canadian Coast Guard and Transport Canada) maintain, as currently, their authorities in the NMCA and continue to undertake their management responsibilities consistent with the CNMCAA, policies, management plan and other legislation, regulations, policy instruments and legal agreements, including the TI Inuit Impact and Benefit Agreement.</p>

	<p>Commercial shipping is a highly regulated activity with many levels of regulation and permitting, and (for example) in flagging this concern the Application does not provide a complete description of the current controls over vessels currently moving through the proposed TINMCA. This additional information should be provided in detail as part of the Application in order to help address the public concern of a perceived lack of oversight.</p>	<p>Please refer to the Transport Canada Acts and Regulations for Arctic Shipping site for the complete list: https://tc.canada.ca/en/marine-transportation/arctic-shipping/acts-regulations</p>
BIMC-7	<p>The SEA concludes, “<i>The anticipated long-term environmental and socio-economic outcomes resulting from the establishment of TINMCA will provide a net benefit</i>” and “<i>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.</i>” There is little to no analysis provided to validate these statements. For example, restrictions on activities within TINMCA such as fishing, shipping, tourism, research and land use could have significant negative socioeconomic effects, and no details on this analysis are provided. This could include both direct negative socioeconomic effects (arising from individuals or companies not being permitted to carry out the desired activity) and secondary effects (Inuit not being able to carry out traditional activities due to less access to the wage employment necessary to purchase and maintain equipment). Parks Canada is asked to provide further quantitative rationale and data to support the conclusion of no significant adverse effects. Can Parks Canada share the qualitative analysis (with data) they relied on to come to these specific conclusions?</p>	<p>Please refer to the feasibility assessment report for a national marine conservation area in the Lancaster Sound Area (included as an attachment to the original screening submission). It provided that broad assessment. As the establishment of the NMCA is not a physical work or physical activity, the assessment is strategic in nature. The final boundaries of the NMCA were adjusted to exclude key areas where the potential for development was identified, e.g., the Milne Port area.</p> <p>Individual projects occurring within the NMCA will be subject to the NuPPAA processes and will continue to be assessed on a case-by-case basis.</p> <p>Additionally, an Inuit Impact and Benefit Agreement, signed in 2019, has been negotiated to address impacts to Inuit. The activities identified by BIMC (fishing, shipping, tourism, research, and land use) will not be prohibited throughout Tallurutiup Imanga, but rather managed in a sustainable way to meet the needs of present and future generations. In some instances, the IIBA also promote the participation of Inuit in these activities.</p> <p>Inuit are joint management partners in determining how this is accomplished and the public will have opportunities for input into management direction through the development of key management tools such as management plans, national policy, and regulations. Inuit rights are not affected by the establishment of the NMCA.</p>
BIMC-8	<p>The summaries of community consultations are dated February and October 2014. Are there any more up to date consultations to report on as part of this Application? If so, can detailed information on these consultations be provided as part of the Application?</p>	<p>As referenced in the application, the community consultation summaries provided are related to the <u>feasibility and support</u> for a national marine conservation area. The feasibility assessment documents the history of support for protecting the area.</p>

		<p>The establishment of protected areas is a long process. Support for the NMCA has continued since the feasibility assessment. A Memorandum of Understanding between QIA, the Government of Nunavut and the Government of Canada was signed in 2017 stating: <i>"The Parties accept the conclusion of the Lancaster Sound Steering Committee that the establishment of a national marine conservation area in the Tallurutiup Imanga / Lancaster Sound Region is desirable and feasible. The Parties will undertake the necessary work to protect the area under the Canada National Marine Conservation Areas Act."</i> The 2019 IIBA and the final boundaries of the NMCA that followed are provided in the application.</p> <p>Consultations have continued since that time but are related to <u>how</u> the NMCA will be managed (e.g., for the interim management plan, research and monitoring strategy, fisheries development), rather than whether the NMCA should be established. These ongoing consultations have been carried out by all the joint management partners.</p>
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Step 4: Conformity Review (Operations)

