

Regulatory Intent for the Proposed Qikiqtait Marine Protected Area by Ministerial Order

I. Background and Significance

The Belcher Islands Ecologically and Biologically Significant Area (EBSA) was identified in 2011 as part of a larger evaluation conducted by DFO to identify EBSAs throughout Canada's Arctic (DFO 2011). In 2019, Sanikiluaq considered developing Qikiqtait as a blend of Marine Protected Areas (MPA) and National Wildlife Areas (NWA) to protect both the marine and terrestrial areas. In February 2023, Qikiqtait was identified as a marine area under consideration for conservation by the Government of Canada.

Ecological Significance

Qikiqtait and the Belcher Islands are a distinctive geographic and oceanographic region in southeast of Hudson Bay. The archipelago covers a total area of approximately 13,000 square kilometers. The Belcher Islands have recurring, biologically important polynyas. The area is ecologically significant due to several factors:

- **Biodiversity:** High benthic diversity, including sea urchins, sea cucumbers, and bivalves are found in this area. Many higher trophic level species (e.g., Beluga, Walrus, Common Eider, Polar Bear, Seals) found within this area. Local marine life also includes. Lemmings, foxes and Arctic hare are found on land. The coast near Sanikiluaq is also home to Arctic char, capelin, cod, lumpfish, scallops, sea urchin, sea cucumber and sculpin (Gilchrist and Robertson, 2000).
- **Primary Production:** Qikiqtait plays a critical role in ecosystem function whereby strong vertical mixing as a result of cold summer sea-surface temperatures sustains high primary productivity (Galbraith and Larouche, 2011).
- **Migration and Breeding Grounds:** The Belcher Islands act as an winter habitat for beluga and walrus, important feeding grounds for polar bear, and support large populations of eider ducks. As well, the area supports high benthic diversity (DFO, 2011).
- **Climate Regulation:** The multiple reoccurring polynyas throughout Qikiqtait influence the exchange of heat, gases, and freshwater between the ocean and atmosphere, thereby playing a role in local and regional climate dynamics. It helps regulate the formation of sea ice and influences ocean circulation patterns (DFO, 2011).
- **Traditional Knowledge:** The people of Sanikiluaq call themselves Sanikiluarmiut, meaning "people of the islands" (Qikiqtani Inuit Association, 2014). The earliest human habitation of the Belcher Islands dates to 700-500 BC (Maxell 1985). Subsistence harvesting for sea cucumber, scallops and sea urchin is done by community members in shallow waters close to communities, through the use of pull nets. Residents from Sanikiluaq also harvest beluga whale and walrus (WWF, 2021). Sanikiluarmiut collect grasses along the shoreline and use the plant to make baskets (Lawrence, 2018).

Overall, the Qikiqtait area serves as a unique and vital ecosystem, supporting diverse marine life and is culturally important to Sanikiluaq.

Proposed Approach

Establishment of a Ministerial Order Marine Protected Area (MPA) under the *Oceans Act* has been proposed for Qikiqtait as an interim protection measure and a first step to establish long-term marine protection in Qikiqtait. While interim protection is in place, the Government of Canada will explore the options for a long-term conservation measures in the area with the Qikiqtani Inuit Association (QIA) and the Government of Nunavut, through analysis and further consultation. The consideration of long-term conservation measures will include an Inuit Protected and Conserved Area (IPCA).

The Ministerial Order MPA will allow the Minister of Fisheries, Oceans and the Canadian Coast Guard to freeze the footprint of ongoing activities in the area for up to five years. This will mean that no new activities will be allowed in the area following designation. Any activities that have occurred, or were authorized to occur, in the proposed Qikiqtait MPA during the 12 months prior to designation would be considered ongoing activities and would be allowed to continue in the proposed MPA.

II. Proposed Objectives for Qikiqtait

Conservation objectives are broad statements that describe what species or features in the protected area should be conserved. For an MPA under the *Oceans Act* conservation objectives need to refer to protecting or conserving marine species, unique habitats, high biodiversity, and/or the ecosystem. These objectives guide the interim nature of this work and long-term objectives will be developed, in the future.

The following objectives have been proposed for Qikiqtait. The second statement reflects our commitments to the United Nations Declaration on the Rights of Indigenous Peoples Act Action Plan and the recommendations from the Qikiqtani Truth Commission.

- (1) To support the conservation, protection, and understanding of the marine environment around the Belcher Islands, including the wildlife and other species, that is of immense value to Inuit and Inuit culture.
- (2) To support Inuit leadership in the conservation of Qikiqtait to ensure the continuity of Inuit culture, values, and practices, including accumulating and passing down Inuit knowledge as well as Inuit stewardship and governance.

III. Map and Boundaries

The proposed boundaries for Qikiqtait were put forward by QIA. These boundaries are shown in Figure 1. If established, the boundaries will follow the Nunavut Settlement Area surrounding the Belcher Islands excluding the north-eastern portion where the Nunavut Settlement Area overlaps. The boundaries exclude Small Enclosed Bays as described in Chapter 1, Definitions and Interpretation of the Nunavut Lands and Resources Devolution Agreement signed January 18, 2024 between the Government of Canada and the Government of Nunavut and Nunavut Tunngavik Incorporated.

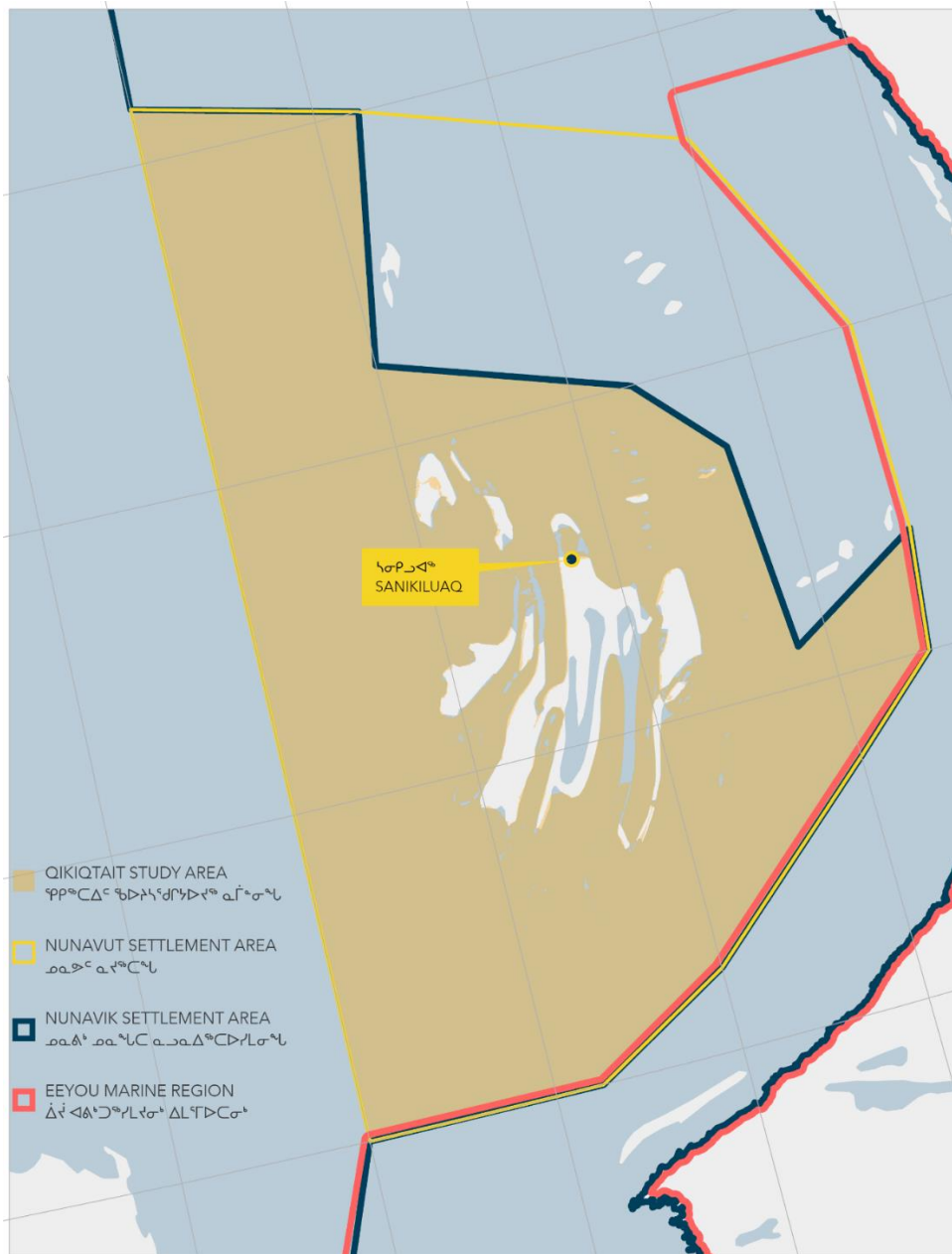


Figure 1. A map showing the boundaries of the proposed Qikiqtait MPA.

IV. Prohibitions and Allowed Activities

It is prohibited in the MPA to carry out any activity that disturbs, damages, destroys or removes from the MPA any unique geological or archeological features or any living marine organism or any part of its habitat, or is likely to do so.

However some activities would be allowed to occur. Activities listed below would be able to occur if Qikiqtait were to become an MPA by Ministerial Order:

- All rights provided for under the *Nunavut Agreement* are respected within the boundary of the Nunavut Settlement Area
- All ongoing activities (see list below) taking place one year prior to designation or activities that have otherwise been authorized to occur by applicable federal laws or by laws of a province/territory
- Research activities consistent with the conservation objectives of the MPA
- Safety, security and emergency activities

Under the *Oceans Act*, DFO would implement an MPA by Ministerial Order by prohibiting any other activities from occurring during the period of the Order, up to five years.

V. List of Ongoing Activities

Ongoing activities can continue to occur if Qikiqtait becomes an MPA by Ministerial Order under the *Oceans Act*. The definition of an ongoing activity is any activity that has taken place one year prior to designation, or activities that have otherwise been authorized to occur by applicable federal laws or by laws of a province/territory.

Activities occurring within the proposed Qikiqtait MPA boundaries have been categorized into classes of ongoing activities which will be allowed in the MPA:

- Hunting and trapping activities
- Fishing activities
- Harvesting of marine plants
- Marine navigation activities
- National defence activities carried out by the Department of National Defence
- Canadian Coast Guard activities carried out by the Canadian Coast Guard
- Tourism activities
- Recreational activities
- Educational activities
- Travel over sea ice using motorized vehicles and non-motorized methods
- Traditional Knowledge and cultural research activities
- Scientific research activities
- Filming activities
- Activities provided for and carried out in a manner not inconsistent with the Nunavut Agreement

Please let us know if you are aware of another ongoing activity that is not captured in the list above.

References

- DFO. 2011. Identification of Ecologically and Biologically Significant Areas (EBSA) in the Canadian Arctic. DFO Can. Sci. Advis. Sec. Sci. Advis. Rep. 2011/055. Available from <https://waves-vagues.dfo-mpo.gc.ca/library-bibliotheque/344747.pdf>
- Galbraith, P.S., and Larouche, P. 2011. Sea-Surface Temperature in Hudson Bay and Hudson Strait in Relation to Air Temperature and Ice Cover Breakup, 1985–2009. *Journal of Marine Systems* 87(1): 66-78. doi:10.1016/j.jmarsys.2011.03.002.
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- World Wildlife Fund. 2021. Working with a Nunavut Island Community to Build a Sustainable 'Blue Economy'. Available From [Working with a Nunavut island community to build a sustainable 'blue economy' - WWF.CA](#)