



**NIRB File No.: 24VN054**  
NPC File No.: 150574

January 6, 2025

Jesslene Jawanda  
Department of Fisheries and Oceans  
3B-630 Queen Elizabeth Way  
Iqaluit NU X1A 0H0

Sent via email: [jesslene.jawanda@dfo-mpo.gc.ca](mailto:jesslene.jawanda@dfo-mpo.gc.ca)

**Re: Notice of Screening for Fisheries and Oceans Canada's "Sarvarjuaq Marine Protected Area by Ministerial Order" Project Proposal**

Dear Jesslene Jawanda:

On November 15, 2024, the Nunavut Impact Review Board (NIRB) received a referral to screen Fisheries and Oceans Canada's (the department) "Sarvarjuaq Marine Protected Area by Ministerial Order" initiative from the Nunavut Planning Commission (project proposal), with an accompanying positive conformity determination with the North Baffin Regional Land Use Plan. On December 12, 2024, the NIRB received the complete application and commenced screening the project proposal under file number **24VN054** - please reference this file number in all future correspondence.<sup>1</sup>

#### PROJECT OVERVIEW

##### ***Project Scope:***

The proposed Sarvarjuaq Marine Protected Area (Sarvarjuaq MPA) is in the North Water (Sarvarjuaq<sup>2</sup>), located at the entrance to Smith Sound, extending north in Nares Strait into Kane Basin and south into northern Baffin Bay (see map below). The Sarvarjuaq MPA includes the

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<sup>1</sup> Pursuant to Article 12, Sections 12.4.1 and 12.4.4 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)* and, subject to paragraph 182(f), section 86 of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c.14, s.2 (NuPPAA), the Board determines the scope of the project.

<sup>2</sup> Meaning "a place that never freezes", a Qikiqtaaluk name for North Water. Also known as Pikialasorsuaq in Kalaallisut, meaning "great upwelling" in the West Greenlandic language.

Canadian part of the North Water, one of the largest polynya ecosystems (80,000 km<sup>2</sup>) in the Arctic, which is designated as an Ecologically and Biologically Significant Area.<sup>3</sup>



Figure 1 map of the proposed Sarvarjuaq Marine Protected Area

<sup>3</sup> North Water is recognized internationally as an important and vulnerable marine area for its recurring polynyas in Canada's Eastern Arctic biogeographic region, designated by Fisheries and Oceans Canada in its 2011 and 2015 publications as referenced in the [Project Description, available on the NIRB's public registry](#) (Doc ID No.352376).

The stated objective of the project proposal is to limit use of the Sarvarjuaq MPA for the next 5 years to allow for the development of long-term protection measures for the marine environment, reflecting Inuit leadership and applicable agreements.

The Order will generally prohibit carrying out works or undertaking activities in the Sarvarjuaq MPA for up to 5 years, starting July 2025, with some exceptions including:

- Inuit activities provided for under any Agreement or Act;
- Lawful activities that have occurred or were authorized to occur in the 12 months before the order comes into force, or as identified in the classes of allowed activities in the Minister's Order;<sup>4,5</sup>
- Research activities consistent with the conservation objectives of the Sarvarjuaq MPA;
- Activities carried out for purposes of public safety, national defence, national security, law enforcement or in emergency situations.

### ***Inclusion or Exclusion of Scoping List***

The geographic scope of the proposed Sarvarjuaq MPA extends beyond the Nunavut Settlement Area and Outer Land Fast Ice Zone, following the Canadian boundary with Greenland in international waters. While the Board is tasked with assessing the full scope of the project as proposed,<sup>6</sup> the geographic scope of the Board's jurisdiction remains the Nunavut Settlement Area and Outer Land Fast Ice Zone as defined under the *Nunavut Agreement* and prescribed in Article 12, Section 12.12.2. Accordingly, the Board's decision will be focused on recommendations related to the Nunavut Settlement Area.

The project proposal would not make Fisheries and Oceans Canada a sole regulator of activities in the Sarvarjuaq MPA but would prescribe general limitations on allowable uses of the area and exceptions (as set out in the exception list provided above) which would be implemented by other regulatory agencies responsible for regulating specific activities in the area, including but not limited to, Crown-Indigenous Relations and Northern Affairs Canada, Transport Canada, Environment and Climate Change Canada, Nunavut Research Institute, Government of Nunavut and other regulators.

The marine environment would include the seabed, the subsoil and water column, but does not include islands, freshwater bodies, or areas of joint land use.

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<sup>4</sup> Per paragraph 35.1(2)(a) of the *Oceans Act*, the Minister's Order includes a proposed list of classes of *ongoing activities* in DFO's submission, [Project Description, on the NIRB's online public registry](#) (Doc ID No. 352376).

<sup>5</sup> The proposed regulation in the Minister's Order recognizes the pre-existing authorized zones in the region designated by the Northwest Atlantic Fisheries Organization for commercial fisheries, including shrimp fishing.

<sup>6</sup> See *NuPPAA*, s. 157(1).



## REQUEST FOR COMMENTS

All documents received can be accessed from the NIRB's online public registry [www.nirb.ca/project/126016](http://www.nirb.ca/project/126016) and include:

- *NPC Screening Referral and Application for Conformity*
- *NIRB Online Application form*
- *Project Description* (English and Inuktitut)
- *Letters of Support*
- *Letters to Industry and Stakeholders*
- *Community Consultation Presentation* (2023 and 2024)
- *Consultation Report* (also referred to as the *What We Heard Report*, English and Inuktitut)
- *Regulatory Intent* (English and Inuktitut)
- *Socio-Economic Report*
- *Community Consultation and Engagement Summary*
- *Hydrocarbon Assessment*

The NIRB will copy you on all screening process-related correspondence and upload related documents to the NIRB's online registry for public access. The NIRB may request additional information at any time during the process.

The NIRB is copying parties and municipalities potentially affected by Fisheries and Oceans Canada's project proposal with this letter, and we invite interested parties to comment directly to the NIRB by **January 27, 2025**.

The NIRB would like parties to provide comments regarding:

- Whether the project proposal is likely to arouse significant public concern; and if so, why;
- Whether the project proposal is likely to cause significant adverse eco-systemic or socio-economic effects; and if so, why;
- Whether the project proposal is likely to cause significant adverse impacts on wildlife habitat or Inuit harvest activities; and if so, why;
- Whether the project proposal is of a type where the potential adverse effects are highly predictable and mitigable with known technology, (and providing any recommended mitigation measures); and
- Any matter of importance to the Party related to the project proposal including if a Review is required or if there are any additional factors that should be considered as part of that process.

## CONTACT INFORMATION

Please send your comments to the NIRB via email at [info@nirb.ca](mailto:info@nirb.ca), via fax at (867) 983-2594 or via the individual project dashboard for this assessment on the NIRB's online public registry at [www.nirb.ca/project/126016](http://www.nirb.ca/project/126016).

If you have any questions or require clarification, feel free to contact the undersigned at 1-866-233-3033 or [lcai@nirb.ca](mailto:lcai@nirb.ca).

Sincerely,



Leila Cai  
Impact Assessment Officer  
Nunavut Impact Review Board

Enclosures (6): Public Notice of Screening (English, French, and Inuktitut)  
Comment Forms (English, French, and Inuktitut)

cc: Distribution List  
Lauren Candlish, Fisheries and Oceans Canada  
José Audet-Lecouffe, Fisheries and Oceans Canada  
Amy Amos, Fisheries and Oceans Canada  
Thomas Hoggarth, Fisheries and Oceans Canada  
Carson Gillis, Nunavut Tunngavik Incorporated  
Dustin Fredlund, Nunavut Tunngavik Incorporated  
Kathy Padluq, Nunavut Tunngavik Incorporated  
Jared Ottenhof, Qikiqtani Inuit Association  
Chris Spencer, Qikiqtani Inuit Association  
Conor Goddard, Qikiqtani Inuit Association  
Joel Fortier, Qikiqtani Inuit Association  
Assol Kubeisinova, Qikiqtani Inuit Association  
Steven Lonsdale, Qikiqtani Inuit Association  
Jason Akearok, Nunavut Wildlife Management Board  
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Justin Buller, Government of Nunavut  
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Drikus Gissing, Government of Nunavut  
Bradley Pirie, Government of Nunavut  
Michele Leblanc-Havard, Government of Nunavut  
Mosha Cote, Nunavut Research Institute  
Tracey McCaie, Crown-Indigenous Relations and Northern Affairs Canada  
Margaret Friesen, Canadian Northern Economic Development Agency  
Eva Walker, Environment and Climate Change Canada  
Transport Canada  
Peter Unger, Natural Resources Canada  
Richard Dwyer, Nunavut Water Board  
Hamlet of Grise Fiord  
Iviq Hunters & Trappers Association  
Joshua Idlout, Hamlet of Pond Inlet  
Mittimatalik Hunters & Trappers Association  
Hamlet of Arctic Bay  
Ikajutit Hunters & Trappers Association  
Hamlet of Resolute Bay  
Resolute Bay Hunters & Trappers Association  
Northwest Atlantic Fisheries Organization  
Inuit Circumpolar Council