



January 31, 2025.

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: DFO's Response to Comments on the Proposed Ministerial Order Marine Protected Area in Sarvarjuaq (NIRB: 24VN054)

Dear Mrs. Gillard,

Thank you for giving Fisheries and Oceans Canada (DFO) the opportunity to respond to comments submitted through your public comment period. We appreciate the time and thought that went into the comments submitted by the Government of Nunavut (GN). Our response to the GN's comments is provided in this letter and the accompanying table. We would also like to acknowledge the reviews submitted by Crown-Indigenous Relations and Northern Affairs Canada, Transport Canada (TC), and the Resolute Bay Hunters and Trappers Association, though we understand that these comments do not require our response.

In 2021, a Qikiqtait and Sarvarjuaq Working Group was created to advance the conservation and protection of these sites under the *Oceans Act*. The Working Group includes representatives from the Government of Canada (DFO, TC, Environment and Climate Change Canada), the Qikiqtani Inuit Association (QIA) and the GN. Through this Working Group and with the support of Canada Land Surveyors from Natural Resources Canada (NRCan) we have been working collaboratively to address the concerns raised by the GN about the identification of "Small Enclosed Bays", as defined in the Nunavut Devolution Agreement. The GN is aware that the map illustrating the MPA boundaries can still be adjusted and the Orders amended, to reflect the final calculations of the small enclosed bays, after the MPAs are designated. In addition, our team has engaged NRCan's Geological Survey of Canada team, along with GN representatives, to continue our discussions regarding the qualitative analysis of hydrocarbon resources potential in Sarvarjuaq.

We value the important contributions that the GN continues to bring to the Qikiqtait and Sarvarjuaq proposals and we are working to address their concerns at the Working Group and other tables as needed. We look forward to our continued collaboration with the GN and the QIA as we work together to support Nunavummiut in the conservation of these important marine areas.

If there are questions regarding the information provided in this response, please do not hesitate to contact Alasdair Beattie at Alasdair.Beattie@dfo-mpo.gc.ca or 867-444-0745.

We look forward to receiving the Board's screening decision report.

Sincerely,

Amy Amos
Regional Director General, Arctic Region
Fisheries and Oceans Canada



Government of Nunavut – Screening Comments/Requests	Fisheries and Oceans Canada – Response to Comments/Requests
<i>On the issue of boundaries related to the Small Enclosed Bays GN's comments/requests include:</i> 1) The lack of clarity with the boundary affects the GN's ability to properly assess the potential environmental and socioeconomic impacts from the proposed project, and resolving this issue promptly is critical for effective project review. 2) Engage with the GN's Devolution Secretariat to clarify and achieve consensus on the application/interpretation of the Small Enclosed Bays definition for the purpose of clarifying the MPA boundaries and broader devolution efforts. The GN notes that it may be beneficial to include other GC departments, such as Natural Resources Canada, Crown-Indigenous Relations and Northern Affairs Canada, and other implicated federal departments, in these discussions. 3) Collaborate with GN to develop joint language to address the GN's concerns about Small Enclosed Bays prior to issuing any MPA Ministerial Orders. 4) Update their Regulatory Impact Statement to acknowledge the concerns raised with respect to the boundaries, and the ongoing efforts to clarify and interpret the Small Enclosed Bays definition for MPA mapping.	1) Through the Qikiqtaaluk and Sarvartuaq Working Group and with the support of licenced Canada Land Surveyors (CLS) from Natural Resources Canada (NRCAN) we have been working collaboratively to address the concerns raised by the GN about the identification and calculations of "Small Enclosed Bays" as defined in the Nunavut Devolution Agreement. As a next step we have requested that a licenced CLS appointed by the GN work together with NRCAN's CLS to review the application of the Small Enclosed Bays as defined in the Devolution Agreement and provide their expert advice. We have also ensured that GN is aware that the maps are for illustrative purposes only, and do not define the boundaries. The legal description clearly states that Small and Enclosed Bays as defined by the Devolution Agreement are excluded. A PDF version of the legal description and a map of the boundaries can be found in the Canada Lands Survey Records (CLSR) by entering the following CLSR numbers: description of the Sarvartuaq MPA (FB44739 CLSR NU), map of the Sarvartuaq MPA (113360 CLSR NU). GN is also aware that the maps illustrating the MPA boundaries can still be adjusted and the Orders amended to reflect the final calculations of the Small Enclosed Bays after the MPAs are designated. 2) DFO agrees to continue working with GN, QIA and NRCAN towards consensus on the application of the Small Enclosed Bays definition. We will invite other federal departments to join in these discussions as needed and welcome advice from GN's Devolution Secretariat. 3) & 4) DFO will continue to collaborate with GN to develop joint language within the Regulatory Impact Analysis Statement that addresses their concerns. The Regulatory Impact Analysis Statement will be published alongside the Ministerial Order Regulations in <i>Canada Gazette</i>, Part II.
<i>On the issue of the petroleum resource assessments GN's comments/requests include:</i> 1) The Government of Nunavut (GN) is concerned that the project application does not fully communicate what is known about the petroleum potential within the proposed boundaries of the proposed Sarvartuaq Marine Protected Area (MPA). The Proponent	1) The findings presented in the "Scientific Commentary on the Hydrocarbon Potential of the proposed Sarvartuaq Marine Protected Area" provided in 2024 constitute the most recent evaluation completed by the Geological Survey of Canada (GSC). GSC advised that the information provided in that assessment now supersedes Dewing et al. (2022) as it incorporates new data and a better understanding of the region, with particular emphasis on the existence of the Baffin



should ensure that information provided to Nunavummiut to inform any potential comment submission is accurate and provided in proper context. The project application noted the findings of the petroleum resource assessment but did not highlight the recent Scientific Commentary on the Hydrocarbon Potential of the proposed Sarvarjuaq Marine Protected Area Nunavut (2024), although it was included in the submission package. Similar work done by the Geological Survey of Canada (see Dewing, et al. 2022) shows high and medium potential in a substantial part of the proposed MPA, but this work was not referenced in either the project proposal or Scientific Commentary. The overall findings of both reports being that the Sarvarjuaq AOI “may contain significant hydrocarbon resources”. (Scientific Commentary, pg. 2) 2) The GN requests that the context related to the Baffin Fan portion of the area, and a description of both the qualitative and quantitative petroleum potential be communicated directly within the Project Application.	Fan. The potential in the Sarvarjuaq Study Area is thus lower than what was presented in the 2022 analysis. Namely the hydrocarbon potential for the southern portion of the Sarvarjuaq region (the area incorporating the Baffin Fan) is low to medium. The potential remains low in the northern portion (i.e. Nares Strait). In order to better understand what this means, it is important to understand what “medium potential” on the GSC map represents. There are four scenarios that can produce a medium potential (yellow colour) on the maps. They are as follows: a) a high probability of many small fields b) a medium probability of a medium sized field c) a medium probability of multiple or stacked plays d) a low probability of a large field. In the case of southern Sarvarjuaq, the assessment determined there is a low probability of a large field. 2) DFO is committed to reviewing the language within the Regulatory Impact Analysis Statement to ensure the information presented aligns with the current data. The Regulatory Impact Analysis Statement will be published alongside the Ministerial Order Regulations in <i>Canada Gazette</i>, Part II.
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